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HANSARD'S
PARLIAMENTARY
DEBATES:

FORMING A CONTINUATION OF

"THE PARLIAMENTARY HISTORY OF ENGLAND,
FROM THE EARLIEST PERIOD TO THE
YEAR 1803."

Third Series;

COMMENCING WITH THE ACCESSION OF WILLIAM IV.

VOL. X.

COMPRISING THE PERIOD FROM
THE SEVENTH DAY OF FEBRUARY,
TO
THE EIGHTH DAY OF MARCH, 1832.

Second Volume of the Session.

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1832.

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THIRD SERIES.

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ERRATA.

Page 800 *line* 25, *for* unpalatable *read* respectable.

—— 802 *line* 11 *upwards, for* he was prepared *read* he was not prepared.

HANSARD'S

Parliamentary Debates

During the SECOND SESSION *of the* TENTH PARLIAMENT *of*
the United Kingdom of GREAT BRITAIN *and* IRELAND,
appointed to meet at Westminster,
6th December, 1831,
in the Second Year of the Reign of His Majesty
WILLIAM THE FOURTH.

Second Volume of the Seſsion.

HOUSE OF LORDS,

Tuesday, February 7, 1832.

MINUTES.] Bills brought in. By the Marquis of WESTMEATH, to regulate the Baking Trade in Ireland.

Returns ordered. On the Motion of Lord MONSON, for Plans, Estimates, and Contracts, relating to the Repairs and Alterations of Buckingham Palace.

Petitions presented. By Lord DACRE, from the Inhabitants of Worcester, for an Inquiry into the System in which Hospitals are Conducted:—By Earl GREY, from Stonehouse, Lanark, in favour of Reform; from the Corporation of Waterford and from Newport for additional Members for Ireland; from the Silk Throwsters of Macclesfield, against the Importation of Foreign Silk, and from the Operatives of the Glove Trade, Yeovil, against the Importation of Foreign Gloves:—By Lord CLONCURRY, from the united Parishes of Skreen and Rathfigh, Clonemether, Wallen Grange, and Burnchurch, for an alteration of the Law of Tithe.

ANATOMY—PETITION.] The Duke of *Sussex* rose to present a Petition similar to those which he had the honour to lay on the Table the other day. It was a petition signed by 288 students of St. Bartholomew's Hospital, who, after setting forth that they were diligently bent on procuring the knowledge and skill to enable them to practise in the several departments of the medical art, and after stating that for that purpose they were obliged to devote much attention to the structure of the various parts which compose the human body, called upon their Lordships to make such alterations in the law as would allow them to prosecute their studies in safety and with effect. He would confine himself at present to the presenting this petition, for having stated on the former occasion his opinions at some length, he did not feel it necessary to detain their Lordships now by repeating them. He would merely mention one or two facts communicated to him by the Gentleman who put the petition in his hand. There were two persons now in the hospital of St. Bartholomew, one of whom, by name Mary Clay, having undergone an operation, has ordered her body to be disected after her death; and the other, also a woman, before the operation was commenced, ordered that if she should die her body should be opened by the surgeon of the hospital. He merely mentioned these facts to shew that some arrangement might be made gradually to overcome the prejudices of the people. He was also informed by another Gentleman that a body of persons had agreed to leave their bodies for dissection, provided their remains, when the surgeons were done with them, should meet with Christian burial. He would present the petition, hoping that the attention of the Legislature would be directed earnestly to this most important subject.

TITHES (IRELAND).] Earl *Grey* presented a Petition from the inhabitants and landowners in Rathclaren, praying for the abolition of Tithes and Church Rates, and that the Church Lands might be resumed and disposed of for objects of common interest to all the inhabitants of the realm. In introducing this petition to the notice of their Lordships, he begged leave to state, that he presented it as a Peer of that House, and in that capacity only. He had ascertained that it was not worded in a disrespectful manner, and therefore he felt himself bound to present it. He however, need scarcely state to their Lordships, not only that he did not approve of such a measure as the petitioners recommended, but that if a project of that nature were proposed by any one, it should receive from him the most decided and determined opposition. Under all the circumstances of the case, he saw the urgency of effecting some improvement in the mode of making provision for the clergy in Ireland; but he would unequivocally state, that he never could think of making any such improvement in the mode of providing for the clergy without fully securing to the Church its just rights. At the same time he hoped and believed that something might be done to remove those causes of complaint and dispute which were engendered by the existing system. However, to avoid misrepresentation, and to put an end to certain unfounded rumours which had been industriously circulated—rumours which were connected with the opposition given to the payment of tithes, and which had a very bad effect in the present situation of Ireland—he felt it right to say, that he thought it absolutely and imperatively necessary, before they proceeded to legislate on this subject generally, that the authority of the law, as it at present stood, should be fully vindicated. In every case where they had been called for, the powers of the law had been strennously exerted, and so far as they could be exerted, Government was determined that the existing law should still be strictly enforced, in order to produce those effects for which its powers were originally granted; and if those powers were ultimately found to be inefficient, he should not hesitate to propose a bill to give the Government still greater authority, in order more effectually to stop those illegal practices which at present prevailed over a large portion of Ireland.

The Earl of *Wicklow* felt much gratified at the declaration of the noble Earl but must, at the same time, express his regret that such a declaration had not been made at an earlier period. If a declaration of that nature had been made by the noble Earl, or by any other of his Majesty's Ministers, before the appointment of the Committee on tithes, it would have produced a most salutary effect, and a very considerable portion of those evils which had occurred in Ireland would have been prevented. He must be permitted to state his sincere belief that the appointment of a Committee of that House, to inquire into the subject of Irish tithes, unaccompanied by such a declaration as they had just heard, had been attended with much evil —evil which, he feared, the labours of the Committee could not remedy; and to get the better of which would take considerable time, and demand strong exertions on the part of Government.

Earl *Grey* regretted that, as the noble Earl had expressed his approbation of the sentiments which he (Earl Grey) now uttered, he should have fallen under his censure for not having stated them at an earlier period. He really considered when he proposed an investigation into the subject of tithes, and the appointment of a Committee of Inquiry, that he was taking the most effectual steps towards tranquillizing the public mind in Ireland, and preventing the continuance of offences against the law. Perhaps he might have taken a different course if he had entertained the most remote suspicion that those evils would have proceeded to the present extent; but with regard to the charge made by the noble Earl, of his having declined to state his determination to support the arm of the law when the Committee was appointed, he could only ask if any other sentiments had ever been delivered by him, and if he had not on all occasions declared his determination to support the interests of the Established Church. He would only say now that which he had repeatedly stated before. He hoped the law as it stood was sufficient, but if it failed to correct violence, and to secure property, he would cheerfully apply to Parliament to arm the Irish Government with additional authority. He was anxious not to be misunderstood, as he was aware that pains had been taken to circulate reports of the most malignant nature as to the intentions of his Majesty's Government. In defiance of those calumnies he would state confidently and fearlessly that on no occasion had Government neglected to do its duty. He scarcely thought that he should have been called on to vouch for that which was a matter of public notoriety; but as such reports had been propagated and were still continually put into circulation, he availed himself of the first opportunity he had—the presentation of this petition—to declare, perhaps more emphatically, though not more sincerely, than he had often declared before, the determination of his Majesty's Government to uphold the authority of the law by every means in their power, and to preserve our existing institutions.

Lord *Ellenborough* thought, if the noble Earl had referred to the papers submitted to the Committee, and laid on the Table of the House, the noble Earl would have seen the necessity of making the declaration their Lordships had now heard with so much satisfaction. As early as last November it was stated by the Under Secretary of State in Dublin, in reference to the number of committals in Dublin, that rumours had gone abroad that it was not the intention of Government to uphold the tithe-system, and that it would not prevent the spoliation of the clergy. The noble Earl was aware that the whole people were aroused by the expectation that the measures of the Government would put an end to tithes, and as long as that expectation continued, not knowing what might ultimately be the arrangement, the dues of the clergy were necessarily withheld. All the evils which were described in the papers laid on the Table must necessarily be increased, so long as there were any doubts existing as to what were to be the relations between the tithe-receiver and the tithe-payer; it was impossible to expect that the clergy would expose themselves to danger by exercising their rights, and impossible to expect that the tithe-payers would continue to pay that from which they expected at no distant day to be relieved. Since the appointment of the Committee it had turned out, as he expected, and all the evils of the system had not only continued but increased. They had extended to other counties and other parts of the country in which previously no profession of resistance had been made. Under the present circumstances, the Government certainly ought to lose no time in coming forward, as the noble Earl had done, to vindicate the authority of the law, and maintain the rights of the clergy. Unless that were done, and done rigorously and speedily, the resolution to resist the payment of tithes would be strengthened, and the payment everywhere resisted. It was impossible that this evil could continue without leading to other dangers. That must be the case in all countries, and particularly in Ireland, where the people were accustomed to think that all rights were only concessions to force. This state of things could not continue without danger. If measures were not speedily taken to enforce the payment of tithes, undoubtedly the payment of rent would soon be resisted. Whatever proposition the Government might have to make, it ought to lose no time, and the noble Earl should enforce the law for the maintenance of the rights of the clergy. He would venture to suggest, that it was most desirable that an investigation should immediately take place into the state of the existing laws as to enforcing the rights of the clergy, what remedies were provided for them by law, in order to ascertain if it were necessary to make any further provision. He was not aware if this had been done. He thought it was most desirable that the clergyman should be enabled, by some speedy and cheap process, to attach, not only the property, but the persons of the tithe-payers, and to recover his dues. As the law now stood, there was no power of breaking up combinations, and nothing could effect that but a cheap and speedy method of attaching the person. He would venture, likewise, to suggest, that if the law was not at present sufficient, some strong measure should be passed to enable the Government to prosecute any individuals arraying themselves against the payment of tithes. It was not only illegal to resist tithes—and for that certainly the parties might be prosecuted—but there should be likewise a power of proceeding against those who advised such a measure; for such advice, whether illegal or not, must tend to subvert the tithe system. These were matters which he thought worthy of consideration, and which implied that some new law was necessary. It was necessary to strengthen the hands of the owners of tithes, the hands of the clergy, and the hands of the Government, in order to enable them to make head against the combination which existed in Ireland, to subvert all the rights of the Established Church.

The Marquis of *Lansdown* differed from those noble Lords who were of opinion that the appointment of the Tithe Committee had aggravated the evils under which Ireland was labouring. Upon this question the feelings of the Ministers had been much misrepresented. Their conduct had not been supine or negligent. It was given in evidence before the Committee, that whenever the Government had been applied to for the purpose of enforcing the rights of tithe-owners, assistance was promptly afforded. It appeared, throughout the evidence given before that Committee (the evidence, be it observed, of persons of experience, and of different professions and opinions, from various parts of the country), that there had not been a single instance in which the Government, when called on, had not given the most prompt assistance to every person who could justly claim it. It was not to add to this practical demonstration of the determination of his Majesty's Ministers to uphold the law, that his noble friend had made the declaration which they had that night heard; but he had felt it necessary to take this course in consequence of unfair reports which had been most industriously circulated—reports that were unsustained and unsupported by a single fact. These reports, which had not the least foundation, were sent abroad, not only by those who were interested in the receipt, but also by those who were interested in the payment of tithes. With respect to what had been said as to the effect produced by the appointment of this Committee, he should only observe, that it had been that day stated in evidence, that to the appointment of the Committee might be attributed the non-extension of that spirit of resistance to the payment of tithes which unhappily prevailed in some parts of Ireland; and those who gave this evidence expressed a confident feeling that the result of the investigation of the Committee would be to do away with the system of resistance. He did not believe that there was a single person engaged in the consideration of the subject who was not of opinion that some measure beneficial to each of the parties interested in the question, as well as useful to the general peace of the country, would flow from the labours of the Committee. All the points to which the noble Lord (Lord Ellenborough) alluded, had engaged the attention of the Committee, and they felt the greatest anxiety to recommend such measures as would speedily and decidedly remedy the existing evil.

Lord *Cloncurry* said, he had the honour to be a member of the Committee in question, and it was only doing justice to their Lordships who were on that Committee, to state his conviction that no blame whatever could be attributed to them with regard to the excitement which prevailed in Ireland. The resistance of the people to the execution of the laws, proceeded from the general feeling that the laws were unjust. If attention were paid to the just complaints and the just claims of the people, it would soon be found that this was the best method to secure the rights of property, and respect and obedience to the law. He hoped the Committee would do the Irish people justice. He had no doubt that the law as it was would be obeyed in the meanwhile, if the people were told, that what was just and right should be established for the time to come. He had a petition to present.

Lord *Ellenborough* interrupted the noble Lord to say, that the question on the petitions of the noble Earl had not yet been put. In the first of those petitions he observed an informality, which would probably induce the noble Earl to withdraw it for correction.

Lord *Wynford* observed, that the subjects to which his noble friend (Lord Ellenborough) had directed their attention, were under the consideration of the Committee, and he considered it due to that Committee to state, that it was extremely anxious to get at the root of the evil, and, if possible, remove it. With respect to the means which the clergyman in Ireland possessed for the recovery of tithes, they were the same as in England, with this difference, that the Irish clergyman had one additional remedy. He believed that the evils which grew out of the resistance to the payment of tithes, might justly be attributed to the extreme misconduct of the Roman Catholic priests of Ireland. He was convinced of this from reading the pastoral letter of Dr. Doyle to his province, if he were not wrong in using the expression. That letter was acted on by the priests, who denounced, from the altar, those persons who paid tithes. That letter had been productive of immense mischief. He was extremely glad to learn that his Majesty's Ministers had come to the determination to strike at the foundation of the evil.

Lord *Plunkett* said, it gave him great pleasure to observe an unanimous feeling, on all sides of the House, to inquire into this important subject, accompanied by a decided determination, while their Lordships sought the best means of giving relief to the people, to protect the just and undoubted rights of the clergy. He was greatly surprised that there should be any misunderstanding as to the feelings of his Majesty's Government on this subject. The whole of his noble friend's political life sufficiently answered for his sentiments. He had often heard his noble friend speak on the subject of the Church, and he had never known him to express any other feeling than that which shewed that he cherished a high respect for the rights of the clergy, and of the Protestant Establishment. The idea that there was, on the part of his Majesty's Government, a feeling unfavourable to the clergy, had not grown out of the silence of his noble friend, but had sprung out of injudicious observations that had proceeded from other quarters. Obscure and humble individuals in Ireland might entertain the extravagant notion that the Government of the country was not unwilling to sacrifice the rights of the Church. That such persons, looking at their station in life, might entertain such opinions, was not very surprising; in them, perhaps, it was excusable. But it was a very different matter when suspicions of this nature were cherished and were disseminated by persons of high rank and influence in society. It was not to be wondered at, if such persons connived at, or circulated such reports, that they should produce a very considerable effect on the minds of the lower orders of the people. When persons occupying high situations, who, as public functionaries, were deeply interested in the preservation of the public peace, lent their names to such calumnies, he could not be surprised if individuals moving in an inferior rank were led astray by them. He could not wonder that the people should refuse to pay tithes when they were told by individuals, such as he had described, that the Government of the country were not the supporters of the Protestants of Ireland. Nothing could be more unfounded, more devoid of truth, more dangerous, or more mischievous, than the propagation of such an assertion. It had been truly said, that much of the determination against the payment of tithes, as manifested by the people in some parts of Ireland, had arisen from the persuasion that the Government of this country was not actuated by a considerate feeling towards the clergy. Not a word had, however, been said by his noble friend, or by any other member of the Government, to countenance such a supposition. No, the report came from those who, in spite of all just and fair feeling, had thought fit to propagate that for which there was no foundation. If those individuals chose to associate together, and to declare that the Government had not their confidence, they might do so; but they ought not to make accusations, or to send forth insinuations which were unsupported by fact. If, under these circumstances, the Protestant clergy of Ireland were assailed by difficulties, on whose heads ought the blame to rest? Why, on the heads of those who propagated these, he would call them, unfounded slanders. The noble Lord at the head of the Irish Government had had repeated opportunities of expressing his sentiments on this subject, and he had never, in any one instance, where it was referred to by him, omitted to state that he was most anxious to support the clergy of the Protestant Church. Neither were his mere empty declarations; because, whenever the Government of the country had been called on to support the clergy, in every instance, without exception, the most prompt and cheerful assistance had been afforded to them, and the Protestant clergy of Ireland felt grateful to his Excellency for his support. He begged pardon for detaining the House so long on this question, but, connected as he was with the Irish Government, he felt it to be his duty to say thus much. Undoubtedly he should concur most heartily in every measure which had for its object the support of the Church, and the maintenance of its rights.

Petition laid on the Table.

Lord *Ellenborough* said, he felt it necessary to refer to the case of a Roman Catholic gentleman, Sir Emanuel More, who, it was reported, had advised the inhabitants of the district where he resided, not to submit to the law which subjected them to distraint for tithe, for the purpose of asking noble Lords opposite if any attempt had been made to collect evidence of the fact, and, in the event of evidence being found, if it was intended to prosecute the offender?

Viscount *Melbourne* did not know what had been done in respect to the particular case adverted to by the noble Lord. But in other cases of a similar nature he knew that attempts had been made to collect evidence.

HOLLAND AND BELGIUM.] The Earl of *Aberdeen* had yesterday stated that he was desirous of taking the first opportunity, after seeing the treaty which had been laid upon the table on Thursday last, of offering some observations to their Lordships upon the subject, but the absence of the noble Lord yesterday prevented him from doing so. It was not, however, his intention then, nor was it his intention now, to enter into the details of the treaty. Other opportunities more convenient than the present would occur for the purpose; and he had already, upon one or two occasions, availed himself of their Lordships' indulgence to offer observations upon the subject. He would only say now, that every day served to strengthen his conviction of the disastrous consequences of this treaty, that he was more and more convinced its natural termination must be war, and that the more it was considered the more clearly its impolicy and injustice appeared. But there was one circumstance of a very remarkable nature connected with this treaty. It was thrown upon the table of the House without a single word of comment or explanation, although the noble Earl must perfectly well know that in the whole history of the diplomacy of this country there was no instance of a treaty only ratified by some of the high contracting parties being laid on the table of that House. The treaty presented a case wholly without precedent. On the first day of the Session, his Majesty said in his gracious Speech that a treaty had been concluded by the five Powers for the settlement of the affairs of the Netherlands, and that as soon as it was ratified he would give directions that it should be laid upon the Table. The ratifications were to arrive on the 15th of January. This date was afterwards extended to the 31st of the same month. This day having passed, the noble Earl, by command of his Majesty, laid the treaty upon the Table, not condescending even so much as to say, that it had not been ratified by all the Powers. It was not usual to print the ratifications with treaties, so that they had upon the Table the treaty signed by the Plenipotentiaries of all the five Powers; and, in the absence of the ratification of three of them, they were left to believe, unless they obtained information from some other source, that it had been ratified by all the five. The act professed to be what it was not, the act of five Powers, instead of the act of only two of those Powers. He thought that in the circumstances of the case the House might reasonably have expected explanations from the noble Earl. The circumstances of this treaty opened some very difficult and complicated considerations. It was a matter of doubt whether the treaty was in any degree valid, or, the treaty professing to be a reciprocal and general obligation among five Powers, and being executed only by two of them, how far this circumstance affected the validity of the compact. Into this he did not now inquire, although he professed he was not aware whether the five Powers undertook a joint guarantee, or whether each was singly or separately bound. Perhaps this did not admit of a very easy solution, and therefore he should not ask the question. Neither should he ask whether the noble Earl expected the ratification of the three Powers, or when he expected it. When this ratification arrived, if it should ever arrive, the treaty would not be less unjust, nor less impolitic, than at present, but it would then be what it professed to be, the treaty of five Powers, and not the treaty only of England and France. If, on the other hand, it should not arrive, but be finally withheld, then he must conclude that the Ministers of the three Powers had exceeded their instructions. In the present aspect of the affair, it was at least obvious that some explanation was required.

Earl *Grey* expressed his regret if his absence yesterday had been productive of inconvenience to any of their Lordships. But it was unavoidable, as he had been engaged with his Majesty in Council until eight o'clock. The noble Earl said, that, in the peculiar circumstances of this treaty, some explanation was required from him. It was not usual, he believed, to accompany the presentation of such treaties with any explanation; nor did the peculiar circumstances of the present case appear to him to create any necessity for explanation, since it was perfectly notorious to everybody who ever read a newspaper that the treaty was not ratified by the five Powers. If an express declaration from him of that fact was required, he now said, that this treaty had been ratified by France, Great Britain, and Belgium. Now, one word as to the practice that such treaties were not presented to Parliament until they had been ratified by all the parties. The habits of his life had not been such as to render him familiar with such subjects. He readily admitted that he had no information or experience which, upon a subject like the present, could entitle him to enter into competition with the noble Lord. But yet, eminent as were the attainments of the noble Earl in this department of knowledge, he did not always prove to be infallible. As an instance, he might mention that, the other night, the noble Earl pronounced the signature of a treaty only in the French language to be a thing wholly unprecedented, but he had scarcely got home before a list was laid before him of a considerable number of treaties which had been signed precisely in the same way. Nor was the noble Earl quite correct in the present instance, for Spain was included among the powers mentioned as parties in the Treaty of Vienna; and that treaty was laid before Parliament, although Spain had not executed it, and did not, in fact, execute it for two years afterwards. They had been much blamed on account of the publicity which had been given to the recent negotiations, and had been told that every step in the proceedings had regularly appeared in the foreign papers. He had felt all the inconvenience of this, and he hoped the ancient and more wholesome practice would soon be revived, and that negotiations would not henceforth be promulgated until they were mature. However, these publications having already taken place, the treaty having also been ratified by France and England, and as much discussion had already arisen upon the subject, in which repeated discussions the noble Earl had been a principal party, he had thought it advisable to lay the treaty before the House. It was a complete transaction as between France and England, and as a transaction between these powers only had it been produced. With respect to the probability of the ratification by the other Powers, the noble Earl did not require any answer. He had, however, no objection to say that he entertained the most sanguine expectations that all the Powers would ratify the treaty at a very early period. The noble Earl was more confident than ever that this treaty would lead to the most disastrous consequences. He could only say, that he was as confident as the noble Lord could be in his opinion, and as ready to defend the grounds of his confidence, that by means of this treaty they had established the peace of Europe, on what, he trusted, would prove a secure and lasting foundation.

The Earl of *Aberdeen* said, that the present case differed from that of Spain, to which the noble Earl referred as a precedent, inasmuch as that the signatures of the Plenipotentiaries of all the Powers were here affixed to the treaty. The case to which the noble Lord referred bore no resemblance to the present, because there appeared in that case no signature of the Spanish minister. There was no question of recognition in that instance, as the Spanish minister had never signed the treaty. The present transaction, which was incomplete, appeared on the face of it to be complete. The case of the Treaty of Vienna bore no resemblance to it, because there the want of the signature of the minister of Spain was a transaction clear and intelligible on the face of the document. He found no fault with the presentation of the treaty; he only said, the circumstances required explanation. With respect to the future consequences of it, the proper time to judge would be hereafter, but at present he would deliver it as his opinion, that England and France had agreed to a treaty which carried war in its front

GLOVE TRADE.] Viscount *Strangford* presented a Petition from the Master Glovers and others connected with the Leather Glove Trade in the City of London, to which the signatures of nearly forty most respectable firms were annexed. The petitioners complained of the almost total ruin brought upon the masters and workmen, to that important branch of national industry, by the free importation of French gloves, and by the inordinate extent to which smuggling in that article was permitted to be carried; and they prayed for a return to the ancient system of protection by means of prohibition. As he certainly was not prepared, without further evidence, to go the length of joining in that prayer, he did wish that instead of it, the petition had contained one for a full and complete inquiry into the causes of that distress which the petitioners notoriously and undeniably suffered —an inquiry which he thought their Lordships could not in common justice and humanity refuse, unless resolved to shut their ears to the cries of a starving and suffering population — a charge which, manifold as were the modes now employed of vilifying the House of Lords, would never, he trusted, be brought against that Assembly, whatever might be said or thought of recent proceedings in another place. When he spoke of inquiry, he did not mean a hole-and-corner inquiry, confined to two or three selected and favoured individuals, who derived a discreditable profit from the continuance of abuses and irregularities in the importation of foreign goods, but a fair and open inquiry, embracing all the points of the question, and proving or disproving the allegations of the petitioners by evidence at their Lordships' Bar. Such a petition, he was happy to say, would now be presented, and be supported by advocacy far more powerful than his, and in a quarter far more likely to command their Lordships' attention. The petitioners, whose prayer was now before their Lordships, had requested him briefly to advert to two or three things which had been urged against their claims to the notice and commiseration of Parliament. He must crave their Lordships' permission to do so. In the first place it was said that the quantity of foreign gloves smuggled into this country was so small, owing to the lightness of the duty, that no possible injury could result to the home manufacturer. They asked, in answer to this, whether 4*s*. per dozen was a light duty on gloves which could be sold here at first cost, duty included, at 12*s*. 14*s*. 16*s*. 18*s*. 22*s*. and 24*s*. per dozen? He might say, a duty of 5*s*., for such was the duty on the higher-priced gloves, amounting with Custom-house charges and freights, to nearly thirty-five per cent. Now, these gloves could be guaranteed across the channel, and were notoriously and publicly guaranteed for twelve and a-half per cent to fifteen per cent, safe from all accidents, damage, or injury whatever. Was this then a trade, the petitioners asked, which held out no bonus on smuggling? Was not the difference between fifteen per cent and thirty-five per cent a sufficient temptation to practise it? It had been ludicrously stated that the entire quantity of gloves smuggled into the United Kingdom in the course of a-year did not exceed 100 dozens. Noble Lords were perhaps not aware, but they might have ocular demonstration of the fact, by going into any glove manufactory, that 100 dozens of gloves could be packed and compressed in a tin case of eighteen inches square. He did not mean small women's gloves, but gloves that would fit the fullest-sized Peer or personage in that House. And would it be pretended that only one of those very portable, and, to the smuggler, very convenient cases of eighteen inches square was smuggled into the United Kingdom in the course of a-year? Let those who would, believe it; he, for one, did not. In the second place, the thriving condition of the trade was inferred from the increased quantity of gloves manufactured. He had yet to learn that the increased quantity of any manufactured article was of itself proof of the prosperity of that manufacture; the true question was, whether this increased quantity was produced at a remunerating rate to the masters and their workmen; and, if otherwise, the proof of prosperity, drawn from increased consumption, fell to the ground. Again, it was said, that the trade must be prosperous because there were now forty or fifty manufactories established in places where there were but twenty or twenty-seven before. How did this question stand? When the prohibitory system ceased, many of the largest and most respectable manufacturers declined business altogether, foreseeing that under the new system their trade could no longer produce interest on the capital employed in it. Those who replaced them were either their foremen or workmen, who, having saved something in the more prosperous times of prohibition, thought that the retirement of their masters made room for them, and so they set up for themselves—with what success their present condition, and that of their families, and the augmentation of the Poor-rates in the places where they were settled, sufficiently attested. This notion, therefore, that the breaking up and *Macadamizing* a few great and flourishing factories into a number of smaller and inferior ones was a proof of prosperity, did seem, in his humble judgment, to be an absolute fallacy. It was like saying, that a joint of meat which would feed five persons was increased in its size and power of yielding nutriment by being carved and subdivided into fifty smaller pieces. The plain truth of the mátter was, that the glove trade could not afford the profits of the master in addition to the wages of the workman. So the workmen started up into masters, and each man's miserable garret became his more miserable manufactory. And this was called an increase in the number of masters and of manufactories. Now, in the next place, with regard to the increased importation of skins. Was it pretended that all these skins had been made into gloves? To say nothing of their employment for books, for shoes, for carriage lining, and for 100 other uses, he should like to know what quantity of them had been re-exported to the continent, from the utter impossibility of working them up in this country with any thing like a profit. He believed that the attention of the noble President of the Board of Trade had been directed to this point on the 17th of last December; at least he had seen a very courteous letter from that noble Lord stating that the matter should receive his fullest consideration. In truth he was enabled to say, not only with reference to that subject, but to other applications, that the attention of the noble Lord to the various deputations which waited upon him on these matters gave the greatest satisfaction. They all concurred in acknowledging that he would be the best President of the Board of Trade ever known if (for on these occasions there must always be an if) he did not happen to have a Vice-President under him. Lastly, with respect to the injurious effects which the introduction of what were called Berlin gloves had had upon the leather glove trade, he would beg leave, in the first place, to state, that this was not by any means a new trade, sprung up within the last twelvemonths, as had been fallaciously pretended. It had now existed some years, and, therefore, the recency of the introduction of this article into common wear could not be assumed as the cause of the actual decline in the leather-glove trade. But it so happened, moreover, that a very large portion of these gloves were made by the leather-glove-makers themselves. Admitting, however, that an equally large portion were manufactured in Leicester, or Nottingham, or elsewhere, what did this prove but, that the stocking trade having become less profitable, the manufacturers added to their business the making of Berlins? He was instructed, besides, by the petitioners, to declare (and he honoured the English feeling which prompted the declaration), that they were not disposed to complain, and that they did not complain, of any fair, natural, and honourable competition, in any branch of industry, with their own countrymen and fellow-subjects. What they complained of was, the not natural, the not fair, the not honourable preference accorded to the foreign workman over them and theirs—a preference which, he must be allowed to say was not the result of fashion or taste, or of superior excellence in the article so prepared, but was solely the consequence of the false and fatal principle, that cheapness was the only thing at all worthy of the consideration of Statesmen—the one great *summum bonum*, the idol to which all our best and most valuable national interests were, one after another, to be sacrificed. He begged pardon for thus trespassing on their Lordships' time, and concluded by moving that the petition should lie on the Table.

Lord *Auckland* disclaimed any compliments paid to him at the expense of his right hon. friend. Both of them, and all the other members of his Majesty's Government, were most anxious to do all that was safe and practicable for the relief of trade. He believed a great deal of misconception had gone forth upon this subject, both as to the inducements held out to illicit trade, and the quantity of gloves imported. Both Custom-house officers and smugglers had been examined, and they had proved by calculations that the profits were too small on this article to be a strong inducement to smuggling. In respect to foreign silks, the profits being very considerable, the inducements were admitted to be proportionably the greater. He was certain that if the advice of the petitioners were followed, and the prohibitory system again introduced, it would only add to the wealth of the smuggler.

Lord *Wynford* observed, that, from some cause or other, great distress prevailed throughout the country, and that Parliament should do all in its power to afford relief. The most effectual way to discover if any remedy could be applied was, to institute a full and efficient inquiry into the state of trade in all its branches. The depression of the glove trade would be found, he was afraid, only a feature of the general depression.

Viscount *Strangford* said, that he could not pretend to contest the accuracy of the statements of the noble Baron opposite, as to the degree to which smuggling had been carried on, as the noble Baron had possessed advantages far superior to any which had ever fallen to his or he believed to the lot of most other men. On the noble Baron's own shewing he had obtained the not be justly charged with want of courtesy to the hon. Member, as he had informed him that he had received such a petition, and intended to present it. The hon. Gentleman could have seen the contents if he had expressed any desire to do so.

Lord *Morpeth* observed, with respect to the petition now before the House, that, of all the towns in Yorkshire, Bradford had most distinguished itself by its opposition to the system of over-working children in factories. He had the pleasure of knowing several of the principal manufacturers, and he knew they took as great an interest in the question, in favour of the children, as the operatives themselves.

Petition to be printed.

PRESBYTERIAN MINISTERS — IRELAND.] Mr. *Young* presented a Petition from the Presbytery of Monaghan, styled Seceders, praying for an equalization of the classes in their Ministry, and for an augmentation of the stipends of the Presbyterian ministers in Ireland. He most fully concurred in the prayer of the petition, which, he had little doubt, would be supported by all the members for Ireland. He could assure the House generally it was in every way entitled to their consideration, as would appear when he stated some of the facts connected with the petitioners. About December last, a deputation from the Synod waited on the Lord Lieutenant with a petition, which prayed for a bounty to be allowed to sixteen ministers who had distinct congregations, but received no bounty, and to obtain an equalization of that allowed, by augmenting the portion assigned to the lower classes. His Excellency promised to recommend their prayer to the Treasury, and ordered a census to be made of the Seceding congregations, by which it appeared there were nearly 100,000 persons of that persuasion in Ireland. All these persons united in supporting their ministers in this petition. They had just claims to attention, for, throughout all the disturbances and distractions of the country, they had been remarked for good conduct, and peaceable and industrious habits. Their ministers were distinguished by the utmost respectability of character, and for the extensive moral influence they exercised over their flocks, which was uniformly used in promoting good order.

Mr. *O'Connell* stated, that there was not a better or more loyal set of persons in all Ireland than the petitioners, and he heartily supported their prayer, which, he fully agreed with the hon. member for Cavan, deserved the attention of the House.

Sir *Robert Bateson* said, he most heartily concurred in the remarks made by the hon. Gentleman with respect to the good conduct and deserts of the petitioners, who were justly entitled to the confidence and support of Government. The *regium donum* paid to the Seceding Church of Ireland was a miserable stipend, which ought to be increased upon every principle of morality and justice, and he was sure such an augmentation would give general satisfaction in the north of Ireland.

Petition to be printed.

CUSTOM-HOUSE OFFICERS (IRELAND).] Mr. *O'Connell* presented, according to notice, a Petition from certain Tide-waiters, and other officers, who had been removed from Ireland to the port of London in consequence of changes in the mode of collecting the revenue. The cases of individual hardship which arose from the system of misgovernment, which had so long prevailed in Ireland were sufficient to wring the hearts of all that had any feelings whatever. These persons stated, that, in 1825, they were removed from their own country, and were suffering the greatest privations, in consequence of their removal from a cheap country to a dear one. They were also very much surprised, as well as injured, to find that their salaries were to be reduced—those who received 80*l.* to 50*l.*, and those who received 50*l.* to 40*l.*, while the salaries of the English officers had been increased. The persons who were appointed to these offices in Ireland were of a more respectable rank of life than those in England. It was a general subject of complaint, that Irish public officers were not placed on an equality with English. He believed, too, that the petitioners had already suffered for getting up this petition. If this should turn out to be the case, he trusted the noble Lord would interfere on their behalf, and prevent such a persecution. The petitioners, he understood, were generally Protestants, but the difference of religious persuasion made no difference in his mind. His only desire was, to see equal justice dealt out to all.

Lord *Althorp* said, from the statement

of the hon. and learned Gentleman, he could not see that the Irish officers had any cause for complaint. He did not understand that there was any unfair distinction made between them and the English officers. With regard to salaries, surely the hon. and learned Gentleman did not expect that the Irish officers removed to London, in consequence of alterations in the collection of the revenue, were to be placed on a better footing than English officers performing the same duties: neither the House nor the public, would tolerate such a proceeding.

Mr. *Leader* said, this was another well-grounded complaint, shewing the unfairness with which every thing Irish was treated. It was understood there was to be an adequate proportion of the natives of the two countries employed in the collection of the Excise and Custom duties, but the orders were completely evaded, and the effect was, to throw a meritorious class of persons out of employment, who had contributed by their exertions to raise the revenue. It was insulting to the feelings of Irishmen, to see English Excise officers fully employed, while their own countrymen were overlooked. It was the duty of Irish Members to call the attention of Parliament to every improper measure which excited jealousy, heart-burnings, and discontent in Ireland. He trusted the complaints had only to be stated to be fully and effectually redressed

Mr. *Spring Rice* admitted that the petitioners might suffer from the change of a cheap country for a dear one, but that, in all other respects, the heads of the department had instructions to treat the Irish and the English officers in the same manner, and to act with perfect impartiality. It must be recollected, also, that when officers were appointed, they were not named for employment in either country particularly, and the removal took place in consequence of the detection of several frauds in the collection of the revenue. If any case of injustice could be made out, the Treasury would be most anxious to remedy it.

The petition read.

Mr. *O'Connell* said, the noble Lord remarked, there was no injustice in putting the officers of both countries on an equal footing, but the injustice was, reducing a man's salary from 80*l.* to 60*l.*, although he had entered the public service with an understanding, that the former was to be the amount of his remuneration, and to obtain which, he had sacrificed other prospects. The plea for this was, that the English officers had only the same amount of salary, but they knew this on entering the service, and their expectations were regulated accordingly. As for the orders that were given—to place all persons employed on a perfect equality—these were of no use, unless means were taken to see them duly executed; and he understood, on very good authority, that, in spite of such orders, a system of preference prevailed. It was the continued repetition of such unjust acts as these which made Irishmen desire the repeal of the Union, and demand a domestic Legislature.

Mr. *Hunt* remarked, that, from the hon. and learned Gentleman's own statement, it appeared that the Irish revenue officers were too well paid, while the English officers did not receive adequate remuneration, and the complaint was, that the Ministers had put the officers of both countries on an equal footing. The Irish Members were loud in declaring that a perfect equality ought to exist with regard to the Reform Bill for both countries, but they denied that principle on this occasion.

Mr. *Shaw* said, the understanding with these officers when they entered the service was, that they should continue in their situations so long as they faithfully discharged their duties. They were (as had been truly remarked already) taken from a more respectable rank of society, than English officers, and they were, in fact, degraded by being removed from higher to lower situations. This was a case in which all classes of Irishmen could unite. there had been no charge of corruption, and yet all the public departments were filled up by strangers to the country.

Mr. *Ruthven* said, the inequality which had been noticed by other hon. Members extended principally to the higher departments. Englishmen were appointed to situations in Ireland connected with the revenue at large salaries, while there was no instance of an Irishman being placed in the same situations in England. This species of injustice, indeed, was not peculiar to the revenue department. It extended throughout all the Government Offices. There was a most unwarrantable prejudice exercised against Irishmen of all degrees, and the case before them was a notorious proof of it, when it was argued, that it was no hardship to remove persons from a auricular confessions of smugglers, the last persons from whom he should have expected an avowal that smuggling did exist. He had the authority of a more respectable class for repeating that smuggling did prevail to a very great extent, and that it was principally carried on in the manner which he had described; the goods smuggled being thus secured from mildew, damp, and other injuries. With respect to Berlin gloves, he had learned from the best authority that the trade had subsisted for many years, and that, therefore, it was not any new injury to the leather-glove trade, especially (as he had stated before), since the leather-glove-makers themselves manufactured that article in considerable quantities. With regard to what had fallen from his noble and learned friend behind him, he would repeat that the inquiry to which he had alluded would be proposed, not by himself, but by parties far more deserving of their Lordships' attention. He concluded by presenting another petition, with a very great number of signatures, from the glovers and others of Great Torrington, in the county of Devon.

Petitions laid on the Table.

HOUSE OF COMMONS,

Tuesday, February 7, 1832.

MINUTES.] New Members sworn. Lord LOWTHER, for Dunwich.

Returns ordered. On the Motion of Mr. O'CONNELL, a Copy of the Report made by the Board of Excise on the 13th of May, 1831, relating to the Malt Drawback, together with the Answer of the Irish Distillers; of all Writs issued out of the Courts of Chancery, Equity, Exchequer, King's Bench, and Common Pleas in Ireland, for the last three years; of all Monies received by the Society of the King's Inn, Dublin, for the admission of Students, Attornies, Barristers, &c.:—On the Motion of Mr. FRANCIS BARING, of Malt Drawbacks paid in each of the last ten years to 5th January, 1832, and of the number of Imperial Gallons of Proof Spirits on which it was paid; distinguishing Scotland and Ireland; of the Number of Imperial Gallons of Proof Spirits distilled, and of the Number of Imperial Gallons of Proof Spirits which paid Duty for Consumption during the and last ten years, to 5th January, 1832, distinguishing England, Scotland, and Ireland; of the Number of Imperial Gallons of Proof Spirits removed from each Country during the same time; of the quantity of Malt which paid Duty in Scotland during the last ten years, with the Amount paid each year:—On the Motion of Sir GEORGE CLERK, of the Number of Persons who had applied for Relief out of the Poor Rates in the year 1831, in the several Parishes comprised within the Tower Hamlets, Finsbury, Marylebone, and Lambeth, with the Rent of the Tenements they occupied, and the Amount at which they were rated.

Petitions presented. By Mr. BYNG, from St. Mary's, Islington, to equalize Church Rates:—By Mr. O'CONNELL, from Grange Gorman, County of Dublin, complaining of the Irish Reform Bill, and for an extension of the Franchise to 40*s*. Freeholders; from Carrick-on-Suir and Castlebar, to receive Representatives; from the Trades Union, Dublin, complaining of the Irish Reform Bill being introduced by an Englishman:—By Mr. WRANGHAM, from Great Driffield, York. By Mr. BAINBRIDGE, from Taunton, and by Sir GEORGE ROBINSON, from Northampton, Worksop, and East Redford, against the General Registry Bill:—By Mr. TREVOR, from Stockton-upon-Tees, Norton, and Bellingham, for a Representative under the Reform Bill.

TITHES—(IRELAND.)] Mr. *O'Connell* presented a Petition from the parish of Newtown, in the county of Tipperary, against the Tythe System. As an instance of the hardships of the system, he begged leave to state, that a case had come to his knowledge of a poor man whose tithe was 12*s*. offering 6*s*. which was refused. The case was carried into the Court of Exchequer, and a charge of 8*l*. thus incurred.

Mr. *Shaw* said, he knew something of the case, and he could assert that the rev. Gentleman alluded to, had recourse ineffectually to every other legal proceeding to recover his tithe. And it was only on the failure of all ordinary methods that he had had recourse to the Superior Court.

Mr. *O'Connell* said, he must deny that any proceeding had been had recourse to prior to the case coming before the Court of Exchequer. The poor man's offer was refused, and he was singled out for prosecution, although at the same time there were many wealthy men who resisted the payment.

Mr. *Henry Grattan* was surprised at the observations of the hon. member the Recorder of Dublin. There were undoubtedly Acts by which tithes could be recovered without having recourse to so expensive a Court as the Exchequer.

Mr. *Shaw* was quite aware of the existence of the means to recover tithes alluded to by the hon. Gentleman, but the reason why the course had been adopted in the case referred to, was, that local measures could not be enforced, from the general resistance to the payments that prevailed, nor could any clergyman obtain redress, except by the course which this Gentleman had reluctantly had recourse to.

Petition to be printed.

FACTORIES—LABOUR OF CHILDREN.] Mr. *O'Connell* presented a Petition from Bolton, in favour of the Bill introduced by the hon. member for Aldborough, to protect children employed in factories. The petition was numerously and respectably signed. It averred that children suffered great misery from the open and flagrant violation of the law, with regard to the limitation of their hours for labour, which, by a Bill passed some time since, were restricted to twelve. That time was much too long, and it was oppressive and cruel in the extreme to increase it. The petitioners very strongly urged the House upon every principle of morality and humanity, to prevent by clear and express enactments, the continuation of this atrocious system. It might be said, that interfering between masters and their labourers violated the principles of political economy; but, he trusted, the dogmas of that science would not be resorted to, to uphold such an inhuman arrangement as destroyed the health and morals of children, and which had inspired the well-intentioned part of the community with disgust and abhorrence. It was surely better to sacrifice some speculative points of political economy, rather than spread disease and suffering through the land. One of the functions of the Crown was the protection of minors. One of the first duties of a Lord Chancellor was to administer that function, and it was certainly one of the first duties of the Legislature to see that function duly executed; and where further regulations were required to protect those who were unable to protect themselves, particularly when their natural guardians had an interest in over-working them. He begged leave to assure the hon. member for Aldborough, that his humane Bill should have his hearty support.

Mr. *Hunt* cordially supported the prayer of the petition, and, he trusted, for the credit of the House, the Bill would pass unanimously.

Colonel *Torrens* was also most ready to support the petition. It was impossible to argue that the principles of political economy were opposed to those of humanity.

Mr. *Sheil* hoped that the hon. member for Aldborough would move the second reading of his Bill as soon as possible.

Mr. *Sadler* said, that it now rested with the Government to afford him an opportunity for that purpose. He should, if no obstacle presented itself, endeavour to bring it forward on the 17th of the present month. He could assure those hon. Gentlemen who had done him the kindness to declare they would support his Bill, that he was most anxious to bring it under the consideration of the House.

Petition to be printed.

Mr. *Sadler* presented a similar petition from Bradford. It was signed by all the medical men of the place, by the clergy, some of the most extensive master spinners, and by nine or ten thousand persons. The petitioners stated, that the present system injured the children in every point of view, it destroyed their morals; prevented them from obtaining any education; produced bad habits at an early age, which could not afterwards be eradicated; and materially affected their health by the constant labour of from twelve to sixteen hours a day, which was sometimes even extended to the Sabbath. On this occasion he did not mean to go largely into the question, but he must say, that it was the especial duty of the Legislature to endeavour to secure the happiness and ameliorate the moral condition of these poor and unprotected children. Ten hours a day to work, the petitioners considered was as much as the constitution of children would bear, indeed it was too much, for men worked no more hours than that. If there was any one subject that deserved the serious attention of the House, this was it, when neither the parents nor the sufferers themselves were free agents, but were the victims of an unjust and odious system.

Mr. *Strickland* said, that policy required that there should be some legislative enactment on this subject. The present system was the result of machinery and competition, and he did not see any chance of improvement in it, except the Legislature took the matter in hand.

Mr. *Hunt* said, the House might judge of the condition of these unhappy children when he assured them that they were frequently employed sixteen hours out of the twenty-four, in a heat of ninety degrees, and consequently were obliged to work almost in a state of nudity. Few of them attained the age of forty years. He was far from wishing to throw any obstacle in the way of petitioning, but, in reference to one that had been presented on a former night, contradicting what he had said of an individual having roasted the bible, he was ready to make a motion if the hon. Member who presented it would second him, to bring a person to the bar, of the House who would bear him out in his statement. He must further complain that the hon. member for Yorkshire had not apprized him of the contents of the petition which he yesterday presented, relative to Mr. Smithson.

Mr. *Strickland* said, he certainly could not be justly charged with want of courtesy to the hon. Member, as he had informed him that he had received such a petition, and intended to present it. The hon. Gentleman could have seen the contents if he had expressed any desire to do so.

Lord *Morpeth* observed, with respect to the petition now before the House, that, of all the towns in Yorkshire, Bradford had most distinguished itself by its opposition to the system of over-working children in factories. He had the pleasure of knowing several of the principal manufacturers, and he knew they took as great an interest in the question, in favour of the children, as the operatives themselves.

Petition to be printed.

PRESBYTERIAN MINISTERS — IRELAND.] Mr. *Young* presented a Petition from the Presbytery of Monaghan, styled Seceders, praying for an equalization of the classes in their Ministry, and for an augmentation of the stipends of the Presbyterian ministers in Ireland. He most fully concurred in the prayer of the petition, which, he had little doubt, would be supported by all the members for Ireland. He could assure the House generally it was in every way entitled to their consideration, as would appear when he stated some of the facts connected with the petitioners. About December last, a deputation from the Synod waited on the Lord Lieutenant with a petition, which prayed for a bounty to be allowed to sixteen ministers who had distinct congregations, but received no bounty, and to obtain an equalization of that allowed, by augmenting the portion assigned to the lower classes. His Excellency promised to recommend their prayer to the Treasury, and ordered a census to be made of the Seceding congregations, by which it appeared there were nearly 100,000 persons of that persuasion in Ireland. All these persons united in supporting their ministers in this petition. They had just claims to attention, for, throughout all the disturbances and distractions of the country, they had been remarked for good conduct, and peaceable and industrious habits. Their ministers were distinguished by the utmost respectability of character, and for the extensive moral influence they exercised over their flocks, which was uniformly used in promoting good order.

Mr. *O'Connell* stated, that there was not a better or more loyal set of persons in all Ireland than the petitioners, and he heartily supported their prayer, which, he fully agreed with the hon. member for Cavan, deserved the attention of the House.

Sir *Robert Bateson* said, he most heartily concurred in the remarks made by the hon. Gentleman with respect to the good conduct and deserts of the petitioners, who were justly entitled to the confidence and support of Government. The *regium donum* paid to the Seceding Church of Ireland was a miserable stipend, which ought to be increased upon every principle of morality and justice, and he was sure such an augmentation would give general satisfaction in the north of Ireland.

Petition to be printed.

CUSTOM-HOUSE OFFICERS (IRELAND).] Mr. *O'Connell* presented, according to notice, a Petition from certain Tide-waiters, and other officers, who had been removed from Ireland to the port of London in consequence of changes in the mode of collecting the revenue. The cases of individual hardship which arose from the system of misgovernment, which had so long prevailed in Ireland were sufficient to wring the hearts of all that had any feelings whatever. These persons stated, that, in 1825, they were removed from their own country, and were suffering the greatest privations, in consequence of their removal from a cheap country to a dear one. They were also very much surprised, as well as injured, to find that their salaries were to be reduced—those who received 80*l.* to 50*l.*, and those who received 50*l.* to 40*l.*, while the salaries of the English officers had been increased. The persons who were appointed to these offices in Ireland were of a more respectable rank of life than those in England. It was a general subject of complaint, that Irish public officers were not placed on an equality with English. He believed, too, that the petitioners had already suffered for getting up this petition. If this should turn out to be the case, he trusted the noble Lord would interfere on their behalf, and prevent such a persecution. The petitioners, he understood, were generally Protestants, but the difference of religious persuasion made no difference in his mind. His only desire was, to see equal justice dealt out to all.

Lord *Althorp* said, from the statement

of the hon. and learned Gentleman, he could not see that the Irish officers had any cause for complaint. He did not understand that there was any unfair distinction made between them and the English officers. With regard to salaries, surely the hon. and learned Gentleman did not expect that the Irish officers removed to London, in consequence of alterations in the collection of the revenue, were to be placed on a better footing than English officers performing the same duties: neither the House nor the public, would tolerate such a proceeding.

Mr. *Leader* said, this was another well-grounded complaint, shewing the unfairness with which every thing Irish was treated. It was understood there was to be an adequate proportion of the natives of the two countries employed in the collection of the Excise and Custom duties, but the orders were completely evaded, and the effect was, to throw a meritorious class of persons out of employment, who had contributed by their exertions to raise the revenue. It was insulting to the feelings of Irishmen, to see English Excise officers fully employed, while their own countrymen were overlooked. It was the duty of Irish Members to call the attention of Parliament to every improper measure which excited jealousy, heart-burnings, and discontent in Ireland. He trusted the complaints had only to be stated to be fully and effectually redressed

Mr. *Spring Rice* admitted that the petitioners might suffer from the change of a cheap country for a dear one, but that, in all other respects, the heads of the department had instructions to treat the Irish and the English officers in the same manner, and to act with perfect impartiality. It must be recollected, also, that when officers were appointed, they were not named for employment in either country particularly, and the removal took place in consequence of the detection of several frauds in the collection of the revenue. If any case of injustice could be made out, the Treasury would be most anxious to remedy it.

The petition read.

Mr. *O'Connell* said, the noble Lord remarked, there was no injustice in putting the officers of both countries on an equal footing, but the injustice was, reducing a man's salary from 80*l.* to 60*l.*, although he had entered the public service with an understanding, that the former was to be the amount of his remuneration, and to obtain which, he had sacrificed other prospects. The plea for this was, that the English officers had only the same amount of salary, but they knew this on entering the service, and their expectations were regulated accordingly. As for the orders that were given—to place all persons employed on a perfect equality—these were of no use, unless means were taken to see them duly executed; and he understood, on very good authority, that, in spite of such orders, a system of preference prevailed. It was the continued repetition of such unjust acts as these which made Irishmen desire the repeal of the Union, and demand a domestic Legislature.

Mr. *Hunt* remarked, that, from the hon. and learned Gentleman's own statement, it appeared that the Irish revenue officers were too well paid, while the English officers did not receive adequate remuneration, and the complaint was, that the Ministers had put the officers of both countries on an equal footing. The Irish Members were loud in declaring that a perfect equality ought to exist with regard to the Reform Bill for both countries, but they denied that principle on this occasion.

Mr. *Shaw* said, the understanding with these officers when they entered the service was, that they should continue in their situations so long as they faithfully discharged their duties. They were (as had been truly remarked already) taken from a more respectable rank of society, than English officers, and they were, in fact, degraded by being removed from higher to lower situations. This was a case in which all classes of Irishmen could unite. there had been no charge of corruption, and yet all the public departments were filled up by strangers to the country.

Mr. *Ruthven* said, the inequality which had been noticed by other hon. Members extended principally to the higher departments. Englishmen were appointed to situations in Ireland connected with the revenue at large salaries, while there was no instance of an Irishman being placed in the same situations in England. This species of injustice, indeed, was not peculiar to the revenue department. It extended throughout all the Government Offices. There was a most unwarrantable prejudice exercised against Irishmen of all degrees, and the case before them was a notorious proof of it, when it was argued, that it was no hardship to remove persons from a cheap to a dear country, where a salary of 80*l.* in the first went as far as 120*l.* in the last, and at the same time to reduce the salary from 80*l.* to 60*l.* He did not mean to deny that some abuses might have existed which justified the removal of officers, but nothing could extenuate the treatment these poor men had experienced.

Mr. *Spring Rice* could assure hon. Members that he was the last man to look with indifference upon the sufferings of his countrymen, and he felt great regret that he was unable to suggest any mode by which their distresses could be consistently relieved by Government. The circumstances of the case were shortly these, the Commissioners appointed to inquire into the public revenue, recommended a partial interchange of the officers employed in its collection between the two countries. Of course it followed, when the Irish officers were removed to England they were put precisely upon the same footing as English officers of the same degree. The Irish officers received higher salaries in their own country certainly, but then the additional payment was on account of the increased labour they had to perform. It had been the most anxious desire of the Treasury to act with perfect impartiality between all parties, but the comparative cheapness and dearness of certain parts of the United Kingdom was a circumstance beyond their control in the appointment of revenue officers,

Mr. *Hume* saw no injustice whatever in an engagement which placed English, Scotch, and Irish officers, performing the same duties upon a perfect equality with regard to salaries. If there was any cause of complaint, it must be that inequality of remuneration was at all tolerated. He lamented that persons should suffer from their salaries being reduced, but it was quite impossible there could be justice if any inequality existed,

Mr. *Sheil* said, it was the inequality that was complained of. The sufferers were taken from a more respectable class than that which they were reduced to. These persons had entered the service on the implied understanding that their salaries were not to be reduced during good behaviour; but on the other hand, the English officers of a lower class had their salaries increased so as to make them equal in amount to the salaries of a higher class. The circumstances, therefore, were wholly different, and there could not be any grounds whatever for the reduction complained of.

Petition to be printed.

Official Fees.] Mr. *Hume* said, that feeling a great objection to the system of paying public officers by fees, he wished to have an account of the different fees received by the public servants in the different public offices, with a view to bringing before the House some measure to put an end to a system so highly objectionable. This topic was by no means new, for in the time of Mr. Burke it had been felt to be a crying evil, as at that period the fees were, for the most part, arbitrary, and generally fixed according to the will of each office. At that time certain offices were put by an Act of Parliament under its regulations, the fees were not abolished, but directed to be paid over to the credit of the public account, and the officers were to receive a fixed salary. The principle was excellent, but the abuse consisted in allowing the continuance of these fees. It was obvious that every charge made by a public officer fell eventually on the public, and therefore, the best way to manage would be to remunerate the officer in such a manner that every one might know how much each officer received. By a return made to the Finance Committee, it appeared that, in 1826 and 1827, the amount of fees paid over under this Act of Parliament amounted to 127,130*l.*, while other fees received in these offices amounted to about 165,000*l.* This return included only thirty-five offices in England, eight in Ireland, and seventeen in Scotland; and he had no hesitation in affirming, when he looked to the various other offices in which fees were taken, that they amounted to near half a million annually. These often pressed hard on individual interests; and it was upon this, as well as on account of the bad principle of the system, that he wished to bring before the House the amount of the sums received in this way. He would, therefore, move for an account of all fees taken in the public offices under the regulation of the Act of Parliament he had referred to, as well as those which were not regulated, so far as they could be made out—[ordered]. The hon. Gentleman then continued. There had been much discussion in the House on the renewal of commissions consequent upon the death of his late Majesty; and he, as the person who had brought in the bill upon that subject, must say that he felt extremely disappointed at the course which had been pursued, as his object, which was to prevent imposition, had altogether failed. He did not blame any of the individuals, who by virtue of their offices had a right to demand all fees they were entitled to by law or usage, for making that demand. But the fact was, it had happened that the late Government had so interpreted this Act, as to permit these demands to be made, the object of the Act being to prevent any such imposition. It might not be generally known that, in 1812, the late Mr. Ponsonby brought in a bill, which enacted, that, on the death of George 3rd, no fee or emolument should be exacted on the renewal of any commission; and that Act had, he believed, been strictly complied with. Previously to the death of his late Majesty, he (Mr. Hume) had brought in a Bill with the same object, which however, was delayed in its passing until after the death of King George the 4th. The hon. Gentleman then proceeded to read some of the words of the Act, to the effect, that "it was expedient to abolish the payment of all such fees and stamp duties by any such persons so continued in such offices, and that from and after the passing of that Act no such fee or stamp duty should be payable to the heirs and successors of King George 4th, or any person holding any office under them." A subsequent clause stated, that "whereas there would be some expenses incurred for the parchment and other materials for these commissions, patents, &c., the Commissioners of the Treasury were empowered to make a reasonable compensation for the same." Now, his (Mr. Hume's) complaint was against the interpretation put upon this Act by the late Treasury, which had directed that one half the fees before usual should be taken; and the reason given was another ground of complaint; namely, that the Government had no list of the fees in the different offices. If this were true, it was a great blame to any Government to permit any such want to continue; and it appeared that it was merely to save themselves trouble that they gave the order to have half the fees taken. He would illustrate this by a memorial which had been presented to the Treasury on the subject by the Yeomen of the Guard, in the year 1831. They complained in this, that, after having paid 347*l.* each for their situation, they had further to pay 9*l.* 19*s.* 6*d.* for the renewal of their appointments. It was, he thought, high time that the sale of every office should be put an end to—it had been with respect to offices in the Courts of Law, and every situation should be a reward for some service. This petition stated, that the Captain of the Yeomen of the Guard made 1,000*l.* a-year, as there were three or four casualties in the body every year, and this formed one of many instances in which great sums of money went into the pockets of individuals, respecting which the public knew and profited nothing. The petition went on to state, that the salary of a Yeoman was 39*l.* 18*s.* 4*d.*, and that on the demise of King George 2nd there was but 2*l.* 2*s.* paid for renewing these appointments. Why then should 9*l.* 19*s.* 6*d.* be now exacted, and 1,800*l.* go into the Captain's pocket? The answer given by the Treasury to this memorial, and dated from the Treasury Chamber, and signed John Stuart, was, that "he was commanded to acquaint the memorialists, that the fees were correctly charged, in pursuance of an arrangement come to by the Board, under the Act of Parliament to regulate the fees; by which a moiety of them only was exacted, and the parties were exempted from stamp duty." The Act, however, had not regulated the fees in this way, but this discretion had been assumed by the Treasury. The items of these emoluments were curious: some of them were—to the Captain 315*l.* for each man appointed, the chairman ten guineas, the Secretary 2*l.* the messengers 2*l.* 2*s.* servants 16*s.* For the dress five guineas, for a treat 5*l.* 6*s.*; and 8*s.* for registering the warrant with the Lord Chamberlain. The hon. Gentleman then referred to the complaints made by the Irish Magistrates, and asked why, if 5*s.* only were paid in England, 2*l.* 15*s.* 6*d.* should be demanded in Ireland. These things only exposed persons in office, and at present in particular, the Irish Lord Chancellor, to charges of extortion; and that noble and learned Lord was accused in the papers of thus pocketing 2,500*l.* The time, he thought, was now come for the House to set seriously about abolishing fees in every department, and indeed one of the greatest reproaches upon Parliament was, the amount of the fees payable in that House; and he knew that those who held offices in parishes, and were anxious to conduct the public business properly, were prevented from effecting improvements by the expenses of private bills. These persons, and with justice, complained of fees of 240*l.*, on what was called a single bill, and the sum was swelled to 300*l.* and more, were an additional clause to be introduced. This was highly discreditable; not that he or any one could impute any blame to any one in this House, for here the fees were strictly regulated, and he merely instanced this in order to prove, that were every officer of the House and of the Crown paid by way of salary, it would be infinitely better for the public. His object, therefore, was to submit a motion, which was, under all the circumstances, he thought, of absolute necessity, as well to guard against imposition as to form the ground-work of future improvement. He should, therefore, move for a return of the several fees and stamp duties now chargeable on appointments to every office, patent, pension, or place, civil, military, and ecclesiastical, within the kingdom of Great Britain and Ireland, the dominion of Wales, the town of Berwick-upon-Tweed, the islands of Jersey, Guernsey, Alderney, Sark, and Man, and in all the foreign colonial possessions of the Crown, the British East Indies excepted, distinguishing the fees from the stamp duties, and by and to whom, and under what authority, the same were payable.

The *Speaker* observed, that the motion was very comprehensive, and that perhaps it would be better to divide it.

Lord *Althorp* agreed that the Motion was certainly comprehensive enough. It was not, however, in accordance altogether with what his hon. friend had said, as it went beyond offices immediately under the Crown. He would, therefore, suggest, that the hon. Member should insert the words "under the Crown" after the words "all offices, civil, military, judicial, and ecclesiastical," and also add, at the conclusion of his Motion, the words "and the appropriation thereof." Unless he consented to these amendments, his return would be very incomplete.

Mr. *Goulburn* begged to protest against several of the statements made by the hon. Member. That hon. Gentleman read extracts, as he said, from the Act of Parliament regulating fees; but the Act as it stood contained no such extracts as he had read, although the first bill introduced upon this subject did contain the farrago which he had just read as part of the bill. The Board of Treasury had acted in strict conformity to the law, and he should be ready to defend their conduct now or on any other occasion.

Mr. *Hume* said, his bill contained the clauses he had read, although they were altered in the Lords.

The Motion as amended, agreed to.

Colonial Appointments.] Mr. *Hume*, in moving for a copy of the Insolvent Debtors' Act, as applied to New South Wales, and also the copy of the instructions in connection therewith, sent out to General Darling by his Majesty's Secretary of State, said, that before he entered upon the subject of his Motion he must complain of the many improper appointments which had been made in our civil and military offices in the West Indies, which brought discredit on the Government, and did great mischief to the colonies. He had known many instances of persons who were shunned in the country, and yet obtained excellent appointments in our foreign possessions. He had now in his hand a list of five persons holding public situations in New South Wales who had taken the benefit of the Insolvent Act passed for that Colony, and yet refused to pay their creditors a single shilling. A certain portion of their salaries ought to have been made over to their creditors, or the Act sanctioned such injustice as never should have been permitted, although he was happy to say the present Government had determined to put a stop to such proceedings. He had received the earliest attention from the noble Secretary for the colonies, and on this part of the subject would add no more. However, he was here bound to say, that a brother of General Darling's had left a pamphlet at his house, which contained the grossest allegations against him. Such charges he did not mind, because at the proper season, he should be ready to prove the truth of everything which he had stated. As long as the Press was free, the truth would come out. He had used the Press for that purpose himself on more than one occasion, and he would allow the exercise of the same privilege to others.

Lord *Howick* said, the Insolvent Act in New South Wales was similar to that of England; and the former was passed in consequence of a season of great distress, which had affected all persons engaged in speculations and public offices as well as others, but as soon as it was known to Lord Goderich that officers of Government had taken the benefit of it, he felt that it was not for the honour or advantage of Government, that after a declaration of insolvency, an individual should continue to hold office, and he accordingly wrote to the Governor of the colony, intimating that any persons taking advantage of the Act of Insolvency, must consider themselves as no longer in his Majesty's service, and that the Governor must fill up such places as well as he could until other officers could be appointed. Of General Darling he would only say, that he had not been recalled, although it was intimated to him, as well as to the Governors of all other colonies, that their appointments should not be continued beyond six years, agreeable to a regulation made by the late Mr. Huskisson. This intimation was far from a recal of General Darling, who, in all the party conflicts in New South Wales, had given no reason to the Government for changing his appointment.

Mr. *Dixon* said, no season of distress could justify public officers in taking the benefit of an Insolvent Act. They ought not to have engaged in speculation, every government should be very careful in its selection of officers for colonies, for being at a distance from the seat of Government they had great advantages from their authority in any contest with the settler. He did not say, that had been so in the present instance, but the case was open to such a suspicion. He knew nothing of the case, except from ex-parte information, but that bore out all that had been said to the disadvantage of the Governor.

Returns ordered.

FEES ON MAGISTRATES' COMMISSIONS (IRELAND).] Colonel *Perceval,* in rising, pursuant to notice, to call for Papers relating to the Magistracy in the county of Sligo, said, he regretted that his Majesty's Government had not thought it proper to bring in a short bill to do away with the exaction of illegal fees upon issuing the new Commissions of the Peace to the Irish Magistracy who felt, and properly felt disgusted at the manner in which they had been treated by the Lord Chancellor of Ireland. In any remarks he might make, he distinctly disclaimed casting any imputation on the private character of that high officer. He had not the honour of knowing him, but he believed him in private life to be a man of the most amiable disposition, which was evinced by the zeal and industry which he had so successfully exerted to provide for his family. It appeared, by a return which had been placed upon the Table, in compliance with a motion made by the right hon. member for Harwich, that the number of warrants prepared by the Secretary of the Lord Chancellor, for Commissions of Justice of the Peace, from the 1st of January 1831, to the 21st of January 1832, was 256 of which number 219 were Commissions for Magistrates called to the Bench for the first time, thirty-two for general warrants to counties, and five general warrants to cities and towns. By the Act of the 4th George 4th, the Lord Chancellor's Secretaries were allowed to take fees upon the issue of new Commissions only to the amount of 2*l.* 5*s.* 6*d.*; 256 warrants had been issued, but of these only thirty seven could be properly considered as new, and upon the old no such fee was payable. The Secretaries of the Chancellor were only legally entitled to one fee on each general warrant, and half that amount on a renewal; or if they took more, they were liable to a penalty of 100*l.* for each offence. But, in despite of the Act of Parliament, the Secretaries received fees to the amount of 1,190*l.* Even if the whole fee of 2*l.* 5*s.* 6*d.* on each, of 256 warrants which were issued, were charged, it could not amount to much more than 500*l.* By the Act introduced by the hon. member for Middlesex, with the intention of abolishing all fees on the renewals of Commissions, warrants, &c., it was very properly enacted, that compensation should only be made in proportion to the labour performed. He would therefore, ask, whether filling up such a printed *dedimus* as he now held in his hand, with the name of a Magistrate, entitled the Lord Chancellor's Secretary to demand a fee to such an extent?

Mr. *Stanley*—But that is not the point which is the subject of the hon. Gentleman's complaint. The fee was demanded on the warrant, not on the *dedimus.*

Colonel *Perceval*—But where was the necessity of making out a separate warrant for each Magistrate; each warrant contained the name of all the Magistrates in the county, so that if by any accident the name of any Magistrate was left out, it acted as a *supersedeas* of that Magistrate.

He further desired to know, whether the Secretary of the Chancellor was entitled to demand a fee when the Commission of the Peace was absolutely offered to a Gentleman, or when it was to be renewed for an experienced Magistrate? In the present state of Ireland, that country should not be left without a Magistracy who had always protected the lives and properties of his Majesty's subjects; but this exaction, which was sanctioned by the Government, had the effect of depriving many parts of Ireland of a local Magistracy, and it was only this day he received a letter stating that his laundry was robbed, and no Magistrate was to be found near his residence to whom application could be made for directing the police to trace the offenders. Nor were such circumstances confined to his neighbourhood alone, and he felt that he had strong reason to complain of the partiality as well as the injustice which had been practised towards the Irish Magistracy by his Majesty's Government. The hon. Member concluded by moving for a copy of any general warrant issued for a Magistrate in Sligo since the 21st of January, 1831, and of the *dedimuses* issued under them, to the same period, and the number of separate warrants, if any, made out since the said 1st of January, 1831, for any Justice of the Peace for the said county appointed previously to the reign of his present Majesty.

Sir *Robert Bateson* seconded the Motion, and observed that the effect of the illegal fees sought to be extorted from Gentlemen in the Commission of the Peace for the renewal of their warrants had left many parts of Ireland without the aid of a Magistracy. The police and soldiery had orders from the Government not to act without the order of the Magistrates; and in the late disturbances at Inishowen the greatest disorders were with difficulty put down. Why had not the Government acted upon the same system throughout Ireland in the appointment of the Magistrates, and given equally early intelligence to all of such appointments? Some counties had early notice, others had none; and the result was, as he had stated, that many places were left without the protection of a Magistrate to enforce the laws.

Mr. *Stanley* had no objection to the production of the document moved for, but must protest against that insidious mode of attack on the Administration of Lord Plunkett. Why did not the party —the exclusively loyal party, to believe themselves (of which the mover and seconder of the present Motion were such zealous members)—boldly impugn Lord Plunkett's exercise of the duties of his office, and not thus covertly attempt to insinuate what they knew they could not prove? The noble and learned Lord was then in town, ready to meet, in his place in Parliament, all his covert and open enemies. The hon. Gentleman regretted that he (Mr. Stanley) had not brought in a bill to regulate these fees, but, in answer to that charge, he must remind the hon. Gentleman, that their regulation did not appertain to his office, but to that of the Lord Chancellor of Ireland and the Treasury, his department merely serving as the channel of communication between the two. As far as he could ascertain, however, no fees had been charged upon the issue of warrants, which were not legal. A minute of Treasury had been made on the subject, and the circumstance would be brought under the notice of the Lord Chancellor of Ireland. He did not know that he could feel much sympathy for the robbery of the hon. Gentleman's (Col. Perceval's) laundry, for it must have been poor indeed if it could not have afforded some gentleman in the neighbourhood 2*l.* 13*s.* 6*d.* for a warrant, which would have enabled him to protect it. These exclusively loyal gentlemen, who wished to have the preservation of the peace in their own hands, did not set a very good example to the peasantry in resisting the payment of that which the law prescribed—nor would they elevate their characters while embarrassing the Government by refusing to act as Magistrates in their own districts. He admitted the inconvenience which was felt at Inishowen in consequence of gentlemen refusing to pay for their commissions; but that was remedied by sending a military force to the spot, and giving commissions to the principal officers in command. No general circular had been issued to gentlemen recommended for the commission of the peace, although a circular was issued to the Lieutenants of counties for other purposes, and therefore all the Magistrates could not get a notice which had not been sent to any of them. No such previous intimation was necessary to be sent, for the Act of Parliament positively fixed the period within which the new commissions should be issued. Another complaint was, that the commissions of the peace were not issued at the same time, but it must be allowed, that the letter from the Lord Chancellor to the hon. Member (Colonel Perceval) must have come in opportunely, when it was received upon the day on which a great Anti-reform meeting was held, if Anti-reform it could be candidly and fairly called, but no riot occurred, and if any had taken place, the police were at hand, and ready to act, as occasion might require, under the direction of the High Sheriff. The reasons, however, of the Commissions being issued at various times, was, that the Secretary of the Lord Chancellor filled them up as he received the returns from the Lords Lieutenants of the respective counties. As to the precise or legal amount of the fees complained of, he gave no opinion; but this he could say, that not one shilling of their amount ever reached the pocket of the Lord Chancellor. His Majesty's Government had certainly written to the Lord Lieutenants not to place clergymen in the Commission unless in districts where equally competent persons were not to be found, for such districts the Government well knew existed; and in doing so, he did not see that the Government was to blame. It was an inconvenience to charge Irish Magistrates larger fees than English Magistrates; but such had been the law since 1760, and while the law said such fees must be paid, it ill became the Magistrates so violently to resist. They were not setting a very good example to the people, of whom their complaint was, that they would not obey the law. The peasantry in Ireland were in many places now resisting the payment of tithes, because they believed them to be upon a wrong principle. Such was the conduct of these poor deluded people; such conduct was to be deprecated, and yet those other persons, who considered themselves exclusively loyal, resisted the law, because they thought the principle on which it was founded, to be unjust. If, however, the objectionable fees could be diminished, he, for one, would not object to it.

Colonel *Conolly* rose to express his hearty concurrence in what had fallen from his hon. friend (the member for Sligo), and to make some observations on what had escaped the right hon. Secretary for Ireland. As to the fees demanded on issuing the commission of the peace, he could not consider them as otherwise than unjust, when he knew that a Magistrate in England paid only either 5*s.* or 2*s.* 6*d.* for his *dedimus*, and that a Magistrate in Ireland, where so many were called on by a sense of duty to act, and did it with reluctance, where many clergymen (as was just stated by the right hon. Secretary) were called to fulfil the functions of the Magistracy from the want of country gentlemen, that these persons of limited means should be called upon to pay fees because they contributed their gratuitous services to the administration of the laws. It did appear to him that this was at once grievous and unjust. He thought that the Act of Parliament had given a power to the Treasury to name the amount sufficient to remunerate the public officer for his trouble, but the Treasury had given a great deal more than was necessary, and more than the Legislature intended. The Magistrates were under the impression that they were exempted from future payments by Mr. Ponsonby's Act, which had for its object the relief of Magistrates from all future charges. He, therefore, called on the Treasury either to diminish the allowance made to the Chancellor's Secretary, or to bring in a bill, if it was necessary, to relieve the Magistrates from the present unreasonable charge. But though he joined most heartily in deprecating the demand at present made, he would seize the opportunity of stating, that the Magistracy had long been suffering under a sense of neglect and want of support from the Government, and this imposition had only served to ignite an ember which had long been approaching to a flame. The right hon. Secretary had indulged, in very unmeasured terms, as to the Magistracy of Ireland, and he begged leave to state, that he had pronounced a censure at once indiscriminate and unjust. He had recently taken occasion to represent to the right hon. Gentleman that the Magistracy had not been supported in the execution of their duty, and had for some time had reason to complain of his Majesty's Government. The Magistrates were not sustained as they ought to be, and the laws were not enforced in consequence. They expressed a very general dissatisfaction with the mode in which they were treated. They complained that, by the police regulations not being established by Act of Parliament, in three provinces the police were no longer submitted to their orders, or subject to their control. He had pointed out these facts to the right hon. Secretary; he had been near twenty years a Magistrate (for he was no longer one, not having paid for his *dedimus*), but he knew that the police, instead of executing the orders of the Magistrates, had assumed a censorship of their actions, and scrutinized their warrants and public documents; that, in fact, they arrogated to themselves a right of judging of the conduct of those whose orders it was their first duty to obey. These were the causes that contributed to the general inclination to throw up the commission of the peace on the first opportunity. But the right hon. Secretary had described the Magistracy as acting in a confederacy to resist the laws, which they condemned in the tithe combination. He must beg leave to state, that that was not the case. In the county of Donegal, to which the hon. Secretary had alluded, he was present at a meeting of Magistrates on the subject of these fees, and they agreed that though they must object in the strongest manner to the exaction, they would not be so wanting to their public duty as to allow the county to remain without a Magistracy; and though they considered the demand as illegal and unjust, they would nevertheless pay it, protesting against it. Was it then just or fair for the right hon. Secretary to censure a body of men, than whom none were so well entitled to the public gratitude, and deserving of the public support? A body of men who, at great personal risk, at considerable fatigue and danger, devoted themselves gratuitously to the service of their country, should not be thus condemned by the Government; and he here called on this branch of the Legislature not to listen to these calumnies, but to lend all their protection to a class of persons who highly merited their favour and consideration. But he would go further, and state, that this disregard of the Magistracy had produced an impression among the ignorant and deluded peasantry of Ireland that the Ministry were not averse to the tumultuous and disorderly proceedings which now disgraced the country. As the right hon. Secretary had made allusion to an Anti-reform meeting, he would tell the House he had heard the multitude say, "They were no longer Magistrates—we are just as good Magistrates as you are." And he was fully convinced that the greater part of the populace in Ireland were, as he had told the right hon. Secretary a few days ago, thoroughly convinced that any resistance to an Anti-reform meeting was not unacceptable to the Government.

Mr. *Stanley* in explanation, said, that the course which the Magistrates in general ought to have pursued, was to act as the Donegal Magistrates had done—first pay the fees, and then remonstrate against the legality of the charge. The Magistrates complained of the lawless state of the country. Why, they might have put themselves in the situation of removing that state, by the payment of the sum of 2*l.* 13*s.* 6*d.* The hon. Member had stated in the House what had passed in the interview between that hon. Member and himself. The hon. Member then stated, that the Magistrates did not receive the support of the Government now, as they had done before. Now, in answer to that assertion, he had only to observe, that the same instructions had been sent out to the police by the present, as by the former Government, and not one single word of those instructions, had been altered.

Sir *Robert Bateson* said, that he had understood something which fell from the right hon. Secretary to impute to him personal motives. He disclaimed, in the strongest language the forms of the House permitted, having ever allowed personal feelings to interfere with his public duties. He would never allow any one, even with the authority of the right hon. Gentleman, to make such an accusation against him without rejecting it in the strongest terms.

Lord *Althorp* wished to state the course which the Treasury had pursued on the present occasion. Application having been made from Ireland to ascertain what fees ought to be charged, the answer returned, pursuant to a former minute of the Treasury, was, half of the whole fee; since then the Treasury had passed another minute, which had been transmitted to the Lord Chancellor for Ireland as a guide to his proceedings.

Mr. *Sheil* remarked on the evident inconsistency which existed between hon. Members on the subject. One hon. Member had not taken out his commission on account of these fees. He should like to ask that hon. Member, whether he was a Magistrate at the time of the death of George 3rd? [Colonel *Conolly*: I was.] What then was the fee which the hon. Member had paid on the renewal of his commission? [None.] At least, then, the hon. Member could not deny that this fee was legal, for it was imposed by Act of Parliament. If it was legal, it should have been paid; and if it was illegal, still it should have been paid, though under a protest, and a complaint to Parliament would at once have redressed the illegality. He must beg to express his full concurrence with the comparison which had been drawn by the right hon. Secretary for Ireland between the resistance to the payment of these fees, and the resistance to the payment of tithes. Irish Members might, on any subject affecting Ireland, argue with too much warmth, but he called on those who were not affected by the same cause, to say whether those men were not blameable for those disasters—those men whose situations placed them above temptation, whether they were not one thousand times more blameable for the existence of conspiracies and agitation than those who, to save themselves from poverty and distress, had had recourse to similar means of resistance?

Colonel *Conolly* said, that he had entered into no combination of the sort in the county with which he was more particularly connected, for he was at variance with all the Magistrates of the county. He had only declined to take out his commission, in order that he might wait to see what was done.

Mr. *Shaw* said, that the right hon. Gentleman had in his speech afforded no information on this subject, but had indulged in personal reproach. He would, however, dismiss all personal considerations, as regarded both the Government and the Magistrates, for they could not decide the real question before the House, which was, whether or not the fee charged by the Secretary of the Lord Chancellor of Ireland, was justified in law; and upon this point he at once joined issue with the hon. and learned Member opposite (Mr. Sheil), and would declare that it was not. The 1st William 4th, c. 43, abolished all fees chargeable on the renewal of commissions on the demise of the Crown; but the second section of that Act, provided, that all necessary labour in the preparation of such commission, should be paid for at a rate to be fixed by the Commissioners of his Majesty's Treasury. Nothing could justify any charge under this Act, except its necessity. If, therefore, the separate warrant charged for in the case of Magistrates who had been appointed previous to the reign of his present Majesty, was unnecessary, it followed that it was illegal. Now, the Act of 1st George 3rd, c. 13, referred to on a former occasion by the right hon. Gentleman, only proved that no new *dedimus* need be issued in England, for again administering the usual oaths to those justices who had once taken them; but what the Irish Magistrates objected to was, not paying whatever might be the value of the labour done in preparing the new *dedimus*, but the fees upon a separate warrant. It was said, that separate warrants were necessary in Ireland; but no proof was given of it, nor could there be any evidence of what the practice had been since the year 1760, the 1st of George the 3rd, and then no such Act as the 1st William 4th, c. 43, existed. Since the passing of that Act, the 1st and 2nd William 4th, c. 2, taken with the 1st William 4th, c. 6, had provided that commissions, which otherwise would have expired six months after the late King's death, should continue in force till one fortnight after the commencement of the present Session of Parliament; and in the meantime, Lord Lieutenants of counties were appointed in Ireland, similar to the English practice; but he was not driven to argue, upon principle or by inference, that a general warrant for each county was sufficient, for, by the return made to this House, by the Lord Chancellor's Secretary, it appeared that thirty-two such general warrants had, in point of fact, issued to the thirty-two counties in Ireland. These thirty-two general warrants were a full and sufficient authority for the issue of the *dedimuses* to swear the several Magistrates who had been in the commission of the peace previous to the present reign; and it would appear, from the printed return on the Table of the House, that the *dedimuses* for swearing them had issued upon the general warrants. It did not, however, signify whether separate warrants had actually issued or not; the only difference being, that if they had, they were only used as a colour or pretext for the exaction of a fee; and, if they had not, the exaction took place without even a pretext to sustain it. The distinction upon the second section of the 1st William 4th, c. 43, was important. It did not create any duty, but merely allowed a remuneration in the shape of a *quantum meruit* to be made to the Ministerial officer, who should perform any duty absolutely necessary in the preparation of a warrant. If, then, the general warrant authorized the issue of the *dedimus*, which it clearly did, the charge upon a separate warrant was not sanctioned by the provision of the Act. He understood, and believed, that the Magistrates had been told, that if they did not take out these warrants, others could be found who would do the duty of Stipendiary Magistrates. When that threat was held out by the Government, they did not know the value of the services of the present Magistracy, of whom he would fearlessly assert, that as they were unpaid, they were unpurchaseable.

Mr. *Crampton* said, that the question really was nothing more than a question between certain Magistrates of Ireland, and certain officers of the Court of Chancery in Ireland, as to the payment of 2*l.* 13*s.* 6*d.*, to which the hon. member for Sligo and Donegal contended was not legal. The hon. and learned Gentleman, the member for Dublin, whose opinion on the question was of more weight, had not gone quite so far. He had only put the question on the narrow ground of the necessity of issuing a separate warrant for each Magistrate. Such warrants had been from time immemorial used, and the fees charged upon them were perfectly legal and recoverable in any Court of Law.

Sir *Edward Sugden* had heard with very great regret the argument of the right hon. Secretary for Ireland, as being calculated to set one of the most intelligent and respectable bodies in the country at variance with the Government. It was, at the same time, amusing enough to hear how the question was met on the other side. The argument was this:—"The fees are legal, because we say so, and therefore you must pay them." And then it was said, that the Magistrates had entered into a combination against the law, and warranted, by their example, the combinations of the peasantry against the payment of tithes. He had never in his life before, in an assembly of Gentlemen, heard of such a mode of discussing a question which could at all be considered debateable. The only question for the House to determine was, whether the fees were illegal or not. They had only been refused upon the ground that they were illegal, and the Motion called for information upon which the House was to be enabled to judge of the fact. The Magistrates had come, and as he thought very properly, to that House to ask whether the Lord Chancellor had the power or should be allowed to exact fees which they believed the law did not warrant. As to the Lord Chancellor not being interested in the matter, why the office of his Secretary the emoluments of which were in question, was the best in his gift, and the income did not amount to less than 2,000*l.* a-year. Was he not interested in keeping up that income? He thought the Magistrates of Ireland had done quite right in coming to that House to complain of having a fee to pay of 2*l.* 12*s.* 6*d.*, while the English Magistrates paid only 2*s.* 6*d.*

Mr. *Ruthven* complained of the attacks that had been made on the Magistracy of Ireland; and he especially objected to the sweeping condemnation of the alleged combination of the Magistracy not to pay illegal demands; he had not yet paid his fees; but that had entirely arisen from accident, and he therefore had a right to complain.

Mr. *O'Connell* said, that the question was, whether this was an exaction or not, and he as a lawyer was bound to declare that it was. There was no necessity for a new commission. He conjured the English part of the Administration to turn common sense and common justice towards Ireland, and not to allow either orange or green, or any party whatever, to be pilfered in so irritating and contemptible a manner. The whole country was insulted for the benefit of some subaltern officers of a Court.

Colonel *Perceval* replied, he had made the Motion upon principle, and not from petty or party views; and he would neither be put down by the taunts of the right hon. Secretary, nor by any other means. He denied that there was any combination amongst the Magistrates of Sligo. Those Magistrates believed the fee to be illegal, and they would not submit to exaction. A Minister of the Crown had no right to impute personal and improper motives to him, and the conduct of the right hon. Secretary for Ireland was altogether unjustifiable, especially after an explanation which he had given to that right hon Gentleman in the lobby of the House. It was well to say the police were properly instructed. If the police were to remain in the barracks, how were they to preserve the peace? He contended that the whole of his statement was unshaken, and that it was built upon irrefragable documents, which were perfectly open for the inspection of the right hon. Secretary for Ireland.

Motion agreed to.

Mr. *Croker* said, in order to have a proper understanding of the question, he begged leave to move for the date of the new general warrant for each county in Ireland, and the date of the letter from the Lord Chancellor to the Magistrates of the respective counties, announcing his intention to issue such general warrant.

Mr. *Stanley* had no objection to the return, but he thought that part of it which referred to the letter was not rightly worded.

Mr. *Croker* understood the letter was written so as to arrive in the county on the very day on which the warrants expired; and if so, it was an important fact.

Motion agreed to.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — EIGHTH DAY.] On the Motion of Lord John Russell, the House resolved itself into a Committee on the Reform of Parliament (England) Bill.

The Chairman read the 28th clause, which enacts, that the premises in respect of the occupation of which any person shall be deemed entitled to vote in any city or borough, shall not be required to be the same premises, but may be different premises occupied in immediate succession by such person during ; and providing that where such premises shall be jointly occupied by more persons than one, each occupier shall have a vote in case the clear yearly value of the premises shall be of such amount, as when divided by the number of occupiers, shall give a sum of not less than annual value for such occupier. The question was, that the first blank be filled up with the words "twelve-months."

Lord *Althorp* said, he had more fully considered the suggestion thrown out by the hon. member for Kirkcudbright, and, therefore, he intended to introduce words into the clause for the purpose of disqualifying any persons from voting who had not paid their assessed taxes and Poor-rates upon all the tenements they had occupied in succession.

Mr. *Croker* feared the proposition of the noble Lord would not succeed in promoting peace. He had had some experience in contested elections; and he was convinced that allowing various residences and payments to make up the qualification was impolitic. The residences should be one and entire, as had been proposed by the hon. member for Kirkcudbright, in addition to payments for the whole time, or the worst and most complicated litigation would be the consequence. Three removes were said to be as bad as a fire, and he was certain that anything which went to countenance or encourage moving on the part of the poorer classes was to them an injury. He, therefore, hoped the noble Lord would make the clause similar to that which stood upon the same subject in the first Bill.

Lord *Eastnor* felt so strongly the objections urged by the right hon. Gentleman (Mr. Croker) that he could not avoid expressing his earnest desire to see the clause altered, for it appeared to him so objectionable, that if any one had a desire to injure the Bill, they would propose such a one.

Mr. *Stuart Wortley* said, that, in addition to the objections which had been urged, was the fact that this clause, as it stood, would give rise to the greatest confusion, and was not even calculated to attain its professed object. The purport of the clause was, to require twelvemonths' residence previous to registration. But the residence was to be taken in July, and the registration in October. Besides which, supposing that an election took place six months after the registry, the voter must have continued to occupy the same house during that time, or the registry as a check was useless, and a further examination would be necessary to value the tenement he occupied if he had made a change. The clause, as it stood, permitted the change of residence prior to the registration, but it did not permit it between the registration and the election.

Lord *John Russell* said, that point had been observed in framing the clause, and it was considered on the whole better to ensure a residence up to July in a qualified house, and the reason was evident. Up to that time the value of the premises would be ascertained, but after that there would be no means of knowing the value of the house occupied by the voter.

Mr. *Cutlar Fergusson* said, that the clause, as it now stood, was just, for it insured a residence in one place for three months at least—from July to October He should have preferred the clause as contained in the original Bill, but certainly, on the whole, the present clause had been greatly improved by the amendment acceded to by the noble Lord.

Sir *Edward Sugden* said, the clause as proposed violated the principle as laid down by the noble Lord. The professed object was, to allow a man a vote for various residences, and yet a man moving after registry was to be deprived of his vote. He complained too, that the language was obscure: he wished it to be explained.

Lord *Althorp* said, that by the present Bill, all persons voting must be rated. It had been objected to the present clause, that it did not require an elector to reside twelvemonths in the same premises, or if he changed them, it would be only necessary for him to pay the rates for the last premises he occupied. His amendment, therefore, had the object of making such persons pay the rates for all the premises they occupied in succession, to entitle them to vote, and this he considered was a proof of the continued respectability of the party during the twelvemonth.

Mr. *Stuart Wortley* said, the noble Lord appeared to him to have confirmed the objections taken to this clause, rather than to have obviated them. An elector might occupy twelve different residences in the course of a year, of as many different values, and yet he would be entitled to registration.

Mr. *Goulburn* thought, that a most difficult task would be imposed upon Overseers to find out what persons were entitled to vote. He supposed it was intended that every person who occupied a 10*l.* house and paid his rates, was to have his name placed upon the register. And, therefore, he must be traced through five or six parishes, and as many different residences, to find out that each was of the value of 10*l.* How would it be possible to trace such an individual through the St. Pancras and other metropolitan districts; besides, in each of these parishes the houses might be rated upon a different principle, and that would increase the confusion.

Mr. *Cutlar Fergusson* observed, that in the original Bill it was provided, that the Overseers were to make out a list of all the persons entitled to vote, but this Bill improved the former by saying, that the Overseers should only make out a list of all those persons claiming to vote. He was not to make a list of all those entitled to vote, but only those who claimed to do so, and this greatly reduced the power of the Overseer.

Sir *Charles Wetherell* was of opinion, that there would be quite sufficient difficulty in determining the question, whether a man had occupied one house of the value of 10*l.* a-year? But when a person changed his residence four or five times during that term, he must prove that all his successive occupations were of 10*l.* value before he could obtain a vote. This, he thought, would be rather a difficult and complicated proceeding, and how much would it be increased, if, in addition to this he must also prove, that he had paid all his rates and taxes upon all these various residences? The Attorney, the Overseer, the parish Officers and agents would have a pretty considerable share in the manufacture of votes.

Lord *Althorp* had heard certainly, that persons who lived in the smaller description of houses changed their abode more frequently than larger occupiers, and that had been made a great objection to the clause. But he did not think housekeepers changed their residence so often as was stated. The task of the Overseer would be an arduous one, but it would not be attended with the difficulties that had been predicted.

Mr. *Cripps* begged to remind the noble Lord, that farmers in the vicinity of borough towns often occupied warehouses or rooms within them, although they might be resident out of their bounds, and have votes for the county in which they resided. He wished to ask, if such persons were to have votes if they lived within seven miles of such borough, provided their warehouses were of adequate value, or were they to be classed under the head of "non-residents."

Mr. *Hunt* had known from his own experience as a farmer, that there were such warehouses as had been described by the hon. Member, but he never heard of one for which a farmer paid 10*l.* rent.

Question agreed to, and Lord Althorp's Amendment, as follows, "Such person having paid up all poor-rates and assessed taxes which shall have become payable by him for such holding," also agreed to.

The next question was, that the second blank be filled up with the words "ten pounds."

Colonel *Sibthorp* understood the principle of this Bill went upon property, and not numbers, and he therefore wished for some information relating to joint occupancy which had some connexion with property, and which was of importance to his constituents. It was very frequently the case in the respectable city of which he was the humble Representative, that houses were let out to lodgers, who paid different amounts of rent in proportion to the portion of the house they occupied, he therefore begged the noble Lord would inform him, if a person on the upper floor of a house paying perhaps 5*l.* rent was to have the same right of franchise as a person renting the first floor at a rent of he would say 15*l.*

Lord *Althorp* said, it was provided that joint tenants if they each held to the value of 10*l.* and upwards were to vote, therefore the 5*l.* holders had no claim.

Mr. *Cressett Pelham* said, the abuses of the existing system had been commented on in severe terms. It was said, among other things, that numbers of voters were frequently created for the purpose of a particular party. The effects of the clause, however, in his opinion, would produce infinitely more abuses. He was convinced collusion of the most gross description might prevail under its provisions.

Mr. *Freshfield* inquired how the franchise was to be regulated in a case where three individuals rented in common a holding of the value of 28*l.*?

Lord *Althorp* replied, that in such a case no right of franchise would be exercised by any of the joint tenants.

Mr. *Estcourt* asked, if each of the three joint occupants of a holding of 30*l.* annual value would be, under the clause entitled to a vote.

Lord *Althorp* replied in the affirmative.

Mr. *Pollock* stated, that as the clause at present stood, it referred to two distinct points; the former part related entirely to a single tenant, the latter part referred to joint occupants. There seemed no connexion between these two parts, he therefore begged to propose as an Amendment, that after the words "twelve months," there be inserted the words "And be it enacted," it appeared to him that it would be much better if the clause was divided into two distinct clauses.

Lord *Althorp* replied, that he had no objection to adopt the suggestion of the hon. and learned Member, if the hon. and learned Member was sure that by doing so the clause would be rendered more intelligible.

Mr. *Estcourt* remarked, that it was a most extraordinary piece of legislation to make a difference of 2*l.* or 1*l.* exclude three individuals from the right of voting.

Mr. *Cripps* begged to ask the noble Lord, whether the three holders of 10*l.* a-year each would be entitled to vote, unless each was rated to that amount, or, if only one out of the three were rated, whether he would have a vote to the exclusion of the others.

Lord *Althorp* said, as rating was one of the qualifications of the Bill, unless a man was rated to the amount he could have no right to vote.

Sir *Charles Wetherell* said, this clause appeared to him to create extraordinary facilities for making votes. Houses would be taken for the purpose, and converted into abodes something like Noah's Ark—some persons would occupy the first floor, some the garret, others the cellar; he wished therefore to be informed, where there were fourteen or fifteen joint tenants, how their relative rights of voting were to be ascertained?

Lord *Althorp*:—If a house was let to fifteen separate tenants, they must pay each 10*l.* a-year, to entitle them to vote besides the payment of the rates.

Mr. *Praed* objected to the clause, on the ground that it would enact in an underhand manner, that which the hon. member for Preston had boldly and openly demanded—he meant Universal Suffrage. He willingly excused Ministers for its introduction, knowing as he did that they were compelled to bow to the dictates of Political Unions—those schoolmasters who ruled them with a rod of iron. He would content himself with stating, that it should never meet with his consent.

On the Question, that the Clause as amended stand part of the Bill,

Sir *Charles Wetherell* could not on this question refrain from expressing his opinion, that the clause was a direct violation of reason and common-sense, but he was well aware, that if Government affirmed the contrary, it was of no use resisting it. He merely wished, therefore, to state his opinion, that it was unjust to put the sham occupier, the joint tenant of a house, on the same footing with a *bonâ fide* substantial holder of a tenement of the value of 10*l.* This principle Ministers formerly opposed, but they had now conceded it to clamour. It had been extorted from them by the Political Unions.

Lord *John Russell* said, though it seemed to be of no use telling the hon. and learned Gentleman that it was one of the provisions of the Bill that no man could vote unless he was rated, he begged, however, to repeat it once more as a full answer to all his remarks on the effects of joint occupancy.

Mr. *Hunt* requested the noble Lord would inform him, if there were four partners in a firm, and they were not rated separately, whether each would be entitled to a vote.

Lord *Althorp:* under the Bill, in all probability, the partners would be registered separately.

Clause agreed to.

On the Chairman proceeding to read Clause 29, which provides that occupiers may demand to be rated,

Mr. *Stuart Wortley* expressed a hope that in the Bill which he understood, it was the intention of Government to introduce for the prevention of bribery and corruption at elections, a clause would be introduced to prevent the collusive payment of rates for the purposes of creating voters under the 10*l.* clause of the Bill.

Lord *Althorp* replied, that such a provision would be introduced, although he felt bound to say, that the intended machinery of registration would, he believed, effectually prevent any such collusion.

Sir *Edward Sugden* said, the noble Lord might be very confident in the effect of his measure of registration, but he might be disappointed. When there was a prospect of an early election, the candidates would be called upon to pay the rates for constituents, because no provision of the Bill required that they should be paid as they became due. He wished also to call the attention of the Committee to the wording of the clause, which appeared to him extraordinary. As it now stood whenever a tenant desired to vote, he had it in his power to go to the Overseer, and demand to be rated. There was no provision made that, in such case, the landlord was exempted; therefore, both would become liable to the payment of the rates. If the tenant was called upon, and did not pay, recourse would be had to the landlord, if he paid them, and the unconscious tenant, by some arrangement, afterwards continued to pay also, they would be paid twice over. This clause bore upon an Act of Parliament which was passed on the professed ground of the poverty and incompetency of the holders of a certain description of houses by which the landlords were compelled to pay the rates due upon them.

Lord *Althorp* said, the clause was introduced in justice to the landlord and tenant, allowing each to make his own arrangements as to payment of the rates; and on their coming to a proper understanding which of them was to pay the rates, the question as to double payment would be settled

Sir *Charles Wetherell:* but there are many places in England, in which, by virtue of local acts, the landlord was compelled to pay the rates in a certain class of houses. This clause would have the effect of completely oversetting those local acts, because its avowed object was to make the tenant pay the rates to entitle them to vote.

Lord *Althorp:* the occupier of the premises would be put upon the Register. If he did not pay the rates, he could not vote; and then the landlord might be compelled to pay them by the local acts alluded to.

Mr. *Pollock:* that would leave one way open for the tenant to escape payment, and yet vote. When he required to be put upon the Register, the Overseer would, of course, ask him, if all his rates were paid up; on his replying in the affirmative, his name would be inserted, but he might then turn round and say as soon as his name was upon the list, "there is a rate due, but I will leave that to my landlord."

Clause, with verbal amendments, agreed to.

Clause 31, which provides that freemen shall not vote in boroughs unless resident, having been read,

Sir *Robert Peel* only performed a duty which he very rarely had had occasion to perform, in expressing his satisfaction with the amendments introduced into this clause. The main distinction between this clause and the corresponding clause in the Bill of last Session was this, that the rights of freemen entitled to their freedom by birth or servitude were now secured to them and to their successors for ever. He thought this an important object gained, first, because it introduced a new class of voters, and broke the uniformity which would otherwise be established by the 10*l.* clause; and, secondly, and chiefly, because it maintained the hereditary privileges of an industrious and intelligent class of society. If other hereditary privileges were to be preserved, as he trusted they would be, those possessed by the artizan and mechanic ought not to be violated. He must remind the House that the clause now stood exactly as it was proposed to stand last Session by an hon. relative of his, the member for Newcastle (Mr. Edmund Peel). His hon. relative had drawn the distinction between mere honorary freedom and the freedom acquired by birth or servitude, and had strenuously, though at the same time unsuccessfully, contended for the maintenance of that privilege which was now effectually secured. His exertions had not, however, been unavailing, as the exact terms of his amendment were now incorporated in the Bill. On the part of his hon. relative, who had been unable to attend in consequence of severe indisposition, he begged to express his satisfaction that justice had been done to a class of electors who prized this privilege, much less on account of any personal advantage which they individually derived from it, than on account of its being an ancient franchise, which they wished to transmit to their children and successors in as perfect a state as they had themselves inherited or acquired it.

Lord *Althorp* would not say the amendment was an improvement, yet as the Ministers found it was a point they could concede with consistency to the principle of the Bill, they did not reject it.

Sir *Robert Peel* was glad the noble Lord had adopted the amendment, but could not see why the noble Lord had agreed to it if it was in his opinion no improvement to the Bill. There could be no doubt, however, that it broke in upon the 10*l.* clause, which was held up as of such vital importance.

Lord *Milton* approved of the present amendment which, unlike most others that proceeded from the right hon. Baronet and his friends, had the effect of extending the franchise, and, on that principle his noble friend had adopted it. He heartily rejoiced that he had done so, for the provision in the original Bill to disfranchise some of the lower order of the people was the most objectionable part of it to his mind. He thought it was most desirable that those who had no property should yet feel they had an interest in the Constitution. Although he was not desirous to give a paramount influence in the State to the lowest classes, yet he wished that the very humblest could feel that they were in connection with that House. At the same time he could not think, because the privileges of the poorer people were not to be annihilated, that preserving their franchise broke in upon the principle of the 10*l.* clause; on the contrary, he thought the augmentation of the number of electors rather strengthened it.

Lord *Hotham* expressed a hope that his Majesty's Government would draw a distinction between those non-resident voters who were engaged in the army and navy.

Lord *Althorp* did not see how it was possible in the machinery of the Bill to meet the suggestion of the noble Lord, but if any thing could be done, he should be disposed to adopt the remedy.

Lord *Hotham* was thankful for the disposition of the noble Lord to turn his mind to the subject.

Mr. *Goulburn* said, there was another class worthy the attention of the noble Lord, namely, the men serving in the Militia, who were compelled to leave their houses and yet would lose their right of voting.

Mr. *Schonswar* begged to tell the right hon. Baronet (Sir Robert Peel), that he must not think of running away with all the credit of the amendment, and placing the same to the account of his relative. Many staunch friends to the Bill had advocated it, he amongst the rest, and he was happy to see it adopted, particularly when residence was attached to it as a qualification. Freemen combined with householders at and above 10*l.* would, in large boroughs, form a most valuable constituency, and he had no doubt they would act in concert and in harmony with each other, and that the results would be most beneficial.

Sir *George Murray* said, he really hoped the noble Lord would take into his most serious consideration the state to which the clause reduced the whole army and navy. There could not be a doubt of the importance of keeping up the connection of soldiers and sailors with civil life, but the effect of this clause would deprive them of their right as freemen of a borough, merely because they were engaged in the service of their country.

Captain *Boldero* said, he was himself a military man, and he rose to arrest the progress of a clause which annihilated the privileges which soldiers and sailors enjoyed in common with their fellow-subjects as freemen of corporations. He could not see how they could make such persons resident. The service of the country was a bar to it. Surely the disfranchisement then of the army and navy was an oversight. If it was not, it implied contempt of their feelings as a body, and was breaking the chain which bound them to their fellow-citizens. The last Bill was forced through the House in such haste, that he had no time to object to this most obnoxious of its clauses; and by the Bill then under consideration they disfranchised 400,000 men—a number equal to the adult male population of twelve of the largest towns in the kingdom. The clause relating to residence was an effectual bar to all rights of voting in military men. How could he do duty in Scotland and have a vote for Westminister, though his family might be living there, and paying rates and taxes? Was it to be endured, because he was employed in the public service as a soldier that he was to be deprived of his rights as a citizen? That would make them mere mercenaries, and he warned all those who heard him of the consequence of teaching such persons that they had no interest in common with their fellow-countrymen. He called upon all those who asserted that the principle of the Bill was enfranchisement, to extend their own principles to the defenders of their country. There was a precedent, too, for it in the Bill itself, for the privileges of the Universities were preserved. A mariner by being absent on a voyage eight months prior to an election lost his vote. It was the same thing with captains in the navy, and all the men serving under them. He trusted that Government would see that this was a case that deserved their best attention; and if they would view it with a free and unbiassed feeling, he was sure they would give way on this important point. In that hope he begged leave to move, "that all military and naval persons employed or actually serving, or mariners in the commercial marine of the United Kingdom entitled to vote for Members of Parliament, be exempt from the application of h e term non-resident."

Sir *George Cockburn* observed, that men impressed, and obliged to serve the King three years, would lose their right to vote. Such men would be disfranchised by this Bill during the period of their service. It was bad enough for a man to be impressed, and be compelled to leave his family, but the evil was made worse, if he was also to be condemned to lose his civil rights by being taken into the public service against his will.

The *Attorney General* said, there was no class of men who could so well lose their votes as soldiers. They could scarcely be said from their situation to be able to give an independent vote, and they were usually the most profligate of all electors. When they broke through the restraints of discipline and were allowed to indulge in the license of elections, it took some time to restore them to their habitual obedience to their officers. With regard to sailors impressed, they lost nothing by being absent: when they returned their rights would be revived. They had the power to put their rights in force the moment they returned and became free men. With regard to the case put by the hon. and gallant Officer relating to the residence of a person's family who was absent in the public service, provided the rates and taxes were paid, he was always considered a resident, and would consequently be entitled to a vote, such was the law now, and the Bill made no alteration in it.

Captain *Boldero* was to understand, then, from the hon. and learned Gentleman, that non-residents, thus situated,—in virtue of the continued occupation of their houses by their families, though they be themselves absent—would not be affected by this clause. But, then, how would it be with regard to those persons who obtain their right by servitude? Suppose a person enters into the merchant service—at Bristol, for instance—where, if he is bound to a freeman, he becomes, at the end of seven years, himself entitled to the rights of a freeman; say that he then enters the navy; what course would the Bill pursue towards such a person? Why, as he understood, to disfranchise him. In point of fact, the Bill cared nothing for him. It overlooked him, and treated him with insult. Whether he had freedom by birth or by servitude, it was equally valuable. There was not a class more worthy of the rights of freemen than those whose cause he advocated. Look at the soldier or the sailor; he was bold, and would demand justice at your hands. But the Attorney General alleged, that they are more open to bribery and corruption than any other class of men. Upon what was this charge founded? Were military men less loyal than others? He affirmed they were more loyal and obedient than other men.

Sir *George Murray* felt much hurt at the light manner in which the hon. and learned Gentleman had spoken of soldiers and sailors. The hon. and learned Gentleman had imputed profligacy to soldiers most unjustly. They had as good a claim to exercise their civil rights as any other class of persons whatever.

The *Attorney General* did not mean to cast any censure on soldiers and sailors, but he did consider the regulation respecting out-voters one of the boldest and best features of the Bill. He had no intention to reflect on a class for which he had the highest esteem.

Lord *John Russell* said, the rights of freemen were reserved for ever: they were only in abeyance when they were absent in the public service.

Mr. *John Campbell* said, according to the usual practice, soldiers were canvassed as residents where they were freemen. The right of voting in Stafford was in all freemen being six months resident, but soldiers, sailors, militia-men, and pensioners, were considered as residents; and, upon an election taking place, these persons assembled from all parts of the county to vote. As the clause before them said, that all voters must be resident and registered some months before an election took place, he apprehended the effect of it would be to disfranchise all the persons he had enumerated; but the Committee might introduce some provision to make seamen and soldiers serving the King entitled to be registered upon application for that purpose.

Mr. *Goulburn* said, the hon. and learned Gentleman had somewhat puzzled him by the answer he had given relating to the right of voting. He had said, that the law at Stafford was, that the army, navy, and pensioners, were considered as residents for the purposes of voting; if therefore, the Stafford law was generally good, the clause was satisfactory; but then what became of the law as propounded by the hon. and learned Attorney General. That hon. and learned Gentleman gave a completely contrary opinion, and said, not only were their rights taken away, but it was very proper they should be so, and that it was one of the chief merits of the Bill. His opinion was, that the point should not be left doubtful, but that the Committee ought to make a special provision by which the army, navy, commercial, marine, and militia, might have their elective franchise secured.

Sir *Charles Wetherell* was glad to find the present Bill continued their rights to freemen and their descendants in perpetuity. He, in common with many other hon. Members, had strongly urged this act of justice in the Bill of last Session, which the noble Lord then successfully resisted, although he had now adopted it. The noble Lord, however, somewhat ungraciously said, it did not meet with his approbation. The principle once conceded should be extended to all persons, and it was most unjust to exclude the army and navy, when the church and the laity had their privileges secured by the very same Bill. The hon. and learned member for Stafford had said, that, by the custom of Parliament, the army and navy were considered as residents; he allowed it might be so, but when there was a Statute that expressly declared all the voters must be actually resident, those classes would most undoubtedly be deprived of that privilege. He trusted the noble Lord would perceive that when persons gave way a little to fair argument and reason, it was wise for them to consider whether it was not right to take further time for consideration, and in that view, he requested the noble Lord would allow the clause to be postponed.

Mr. *Trevor* said, the provision of the Bill which disfranchised those who were serving in the army and navy was one of the most unjust features of this detestable measure, which, instead of an advantage, would prove a curse to the country. But putting aside for a moment the question as to the policy of disfranchising out-voters, he considered that an exception ought to be made in favour of all those who had no other means of acquiring the franchise except by servitude. There was another light in which the question might be viewed, and that was, that the preservation of the rights of sailors and soldiers would act as an inducement for men to enter the King's service, but to say that if persons gave up all the comforts of home, separated themselves from their families and friends on the public account, they were also to have their civil rights taken from them, was preposterous. He must further remark, that the hon. and learned Attorney General did himself no credit by advocating such a principle, on the plea that soldiers and sailors were the most profligate class of voters. As far as his experience went, the case was not so.

Lord *Althorp* said, with respect to the class of voters whom this clause would affect, there was no difference intended to be made between the soldier and the citizen. If soldiers, being freemen, were absent, they, of course, could not have a vote; but when they returned they would be exactly on the same terms with all other persons. In reply to the observation which had been made by the right hon. Baronet (Sir George Cockburn) with respect to a ship's company going out, he must remark, that when they returned their right would again accrue to them. It would certainly be for a short time postponed; but as soon as they had resided the period required by the Bill from all classes of voters, they would be entitled to be registered as freemen, and their votes would then be restored to them. He apprehended that if their right be a scot-and-lot right, then, as inhabitant householders, they would be in no different situation than they are under the present law; because, under the scot-and-lot right, a legal residence was as much required now as it would be under this Bill. A scot-and-lot right was the right of an inhabitant householder who was rated to the Poor-rates, and who had paid his rates. If he had a right as an inhabitant householder, the same legal definition would apply to him as a resident by the common law as would be required by this Bill. Therefore he was not aware that any objection could be urged to this clause so far as the scot-and-lot voters were concerned. With respect to the particular class of persons whose case the hon. Gentleman opposite (Captain Boldero) had pressed upon the attention of the Committee, he admitted there was a degree of hardship, as this clause applied to them, and that more particularly to the navy; because sailors could only vote at intervals between their periods of service; while, with regard to soldiers, it was possible to carry them to the place of election at any time, provided they were not out of the kingdom. Feeling that there was a hardship in this case, if any proposition was brought forward to meet that hardship, and if it should not interfere with the Bill in other respects, he would give it his best consideration.

Sir *George Cockburn* begged to inform the noble Lord, that if he did not think it proper to make some arrangement to protect the elective rights of seamen, he should feel it his duty to bring forward a motion on the subject.

Mr. *Hodgson* observed, with reference to the remark of the hon. and learned Member (Mr. John Campbell), with regard to soldiers and sailors being considered as residents at Stafford, that several other places had customs of the same kind. The borough of Newcastle, for instance, had a custom, that if a man merely walked into the place once a twelvemonth, he was considered as a resident. In his opinion, all these local customs should be abrogated, and a clause introduced clearly defining what was considered a legal residence with respect to all parties.

Captain *Boldero* was happy to hear the noble Lord declare his willingness to entertain a motion for preserving the rights of freemen employed in the public service of the country. He trusted the noble Lord would go a little further, and himself bring forward a motion to attain that object, and, with that understanding, he would withdraw his Amendment.

Amendment withdrawn.

Mr. *Rigby Wason* said, he had to propose an amendment, which he considered so reasonable, that he trusted he might propose it without further preface: it was, that after the words, "such persons," in the clause, there be added these words—"shall have resided within the city or borough sending a Member or Members to Parliament, or within any place sharing in such election, or within seven statute miles of the place where the poll for such city, borough, or place respectively, shall heretofore have been usually taken."

Lord *Althorp* acknowledged, that the Amendment could be introduced with advantage, as it defined the place from which the seven miles were to be measured. He had no objection, therefore, to adopt it; it being understood, that the distance was to be calculated by the nearest road.

Mr. *Hodgson* observed, this Amendment would not have the effect of defining the word "residence," and, therefore, he thought some other words should be introduced to effect that object generally, and do away with local customs.

The *Attorney General* thought they would get into great difficulties if they set about defining terms; but, with regard to the assumed residence of a certain description of voters, the great advantage of the Bill was, that it would put an end to all such local customs, and establish one uniform right under its provisions.

Amendment agreed to.

Mr. *Lennard* wished to propose an amendment, in order to supply what he considered an omission in a Bill which, it was said, was to preserve hereditary rights. The privileges of freemen and their descendants were preserved, but those of free women were omitted. The Committee were aware that, in some few boroughs, a right existed, by which the daughters of freemen conveyed the right of voting to their husbands. This privilege they would lose by the Bill as it now stood, and it was the object of his Amendment to preserve these rights. He knew they were considered as valuable, and the right of the daughter to confer the privilege on her husband ought to be as sacred as the right of the master to confer freedom on his apprentice. This custom existed in the borough he had the honour to represent (Maldon), and he considered that it ought to be continued; for his constituents had made no objection to being partially disfranchised, when, by the last Bill, it was considered necessary for that borough to lose one of its Members for the general good of the country. But they now complained this Bill inflicted upon them a special and undeserved injury, and that it was contrary to the principle laid down in it by which hereditary rights in general were to be retained. He, therefore, begged leave, that there be added, after the word "servitude," at the end of the clause, these words—"or marriage with the daughter of a freeman of a city or borough where the right of voting for such city or borough is acquired by marriage."

Mr. *Quintin Dick* begged leave to second the Motion of his hon. colleague, and to recommend it to the consideration of all those who were advocates of hereditary rights.

Lord *Althorp* was of opinion that the Amendment ought not to be adopted. He allowed a similar one had been introduced into the Bill of last Session; but then it must be remembered, all privileges, by birth, marriage, or servitude, of voting were to cease with the lives of the parties enjoying that privilege. As these rights, however, were now to be continued to perpetuity, and as no doubt could exist that great abuses were carried on under colour of this right, he must oppose its continuance. He had heard of a great deal of jobbing in consequence of the right thus acquired. He had heard stories of several ladies being shut up in rooms ready to marry any person disposed to vote in a certain interest. If the freemen were before satisfied at having their rights preserved only for life, they ought to be much more so now, when they were to be continued to their sons, without being so unreasonable as to expect their wives and daughters were also to hold them. He was afraid, too, that much difficulty would be experienced from ladies changing their names.

Mr. *Robert Gordon* hoped the noble Lord would consider this right was a kind of dowry to the ladies, and it was any thing but gallant to deprive them of it. It had been granted by Queen Elizabeth to the Bristol fair because they were supposed not to possess sufficient personal charms to get them husbands. But he did not understand upon what principle the right was to be continued to the sons and denied to the daughters. He feared, however, that it was of no use arguing the question, as the noble Lord had declared against the proposed Amendment.

Mr. *Western* said, as the rights of all other freemen were to be preserved entire, he did not understand upon what principle the freemen of Maldon were to lose a part of their rights. He had had the honour to represent that borough many years, and it was a duty he owed to his late constituents to endeavour to preserve their privileges. He thought his noble friend could conscientiously give way on this occasion, without the least sacrifice of principle.

Mr. *Strickland* said, if the privilege was originally granted to the females of Bristol by Queen Elizabeth in consequence of their being remarkably plain, there was occasion for the privilege to be continned now; for it was well known, that the ladies of Bristol were remarkable for beauty, and there was, therefore, no longer an occasion for such an attraction to matrimony.

Mr. *Courtenay* thought, the best mode of settling the question would be, to permit a lady to claim this privilege for her husband, provided she pleaded ugliness as the ground of her claim.

Mr. *Lennard* said, nothing had been urged to shake the case he had made out but the assertion of the noble Lord, that women married nominally for election purposes, and, when that was over, never saw these pretended husbands any more.

To this he could furnish the complete answer, that by the Bill, such husbands must be registered, which would afford ample time for the detection of any fraud; and if persons married only for the sake of obtaining the franchise, he could not think the noble Lord would object to such a principle. As he was fully persuaded the right ought to be continued, he should divide the Committee on the subject.

Sir *George Clerk* thought, the hon. Member had made out so strong a case that he was determined to vote for the continuation of the existing right. As to the remark, that when ladies married and changed their names, that there was difficulty in tracing their rights, he could only answer, as the hon. member for Maldon had done on another objection with regard to their husbands, that the registry furnished a complete answer. It was invidious to make a distinction between the sons and daughters of freemen.

The Committee divided on the Amendment: Ayes 25; Noes 75—Majority 50.

The Clause agreed to—the Chairman reported progress—Committee to sit again the next day.

HOUSE OF COMMONS,

Monday, February 8, 1832.

Minutes.] Bill. Read a second time; Ecclesiastical Lands Exchange.

Returns ordered. On the Motion of Lord Milton, of all Articles of Silks, and other Materials mixed with Silk, Exported, Imported, and brought into Consumption for the years 1830, and 1831:—On the Motion of Sir Robert Inglis, of the Area, or Number of Square Feet of Surface of one Copy of each of the daily Newspapers printed in London during the year 1831, including the Supplementary, or Extra Sheets, together with the Amount of Stamp Duty actually paid on one Copy of each Newspaper, and the rate of such payment for each 100 Square Feet of Area:—On the Motion of Mr. Spring Rice, of the principle Sums paid in, and drawn for, by the Trustees of Savings Banks and Benefit Societies, in Great Britain and Ireland, from 2nd July, 1831, to 28th January, 1832, inclusive; and an Account showing the Amount of Life Annuities which existed on the 5th January, 1828; the Sum actually issued in the four quarters of the year, 1831, for the payment of Life Annuities, and those for a term of years; also the Perpetual Annuities received in consideration for the said Annuities, and the Excess of Charge created by granting the same for Lives and years subsequent to 5th January, 1828.

Petitions presented. Against the General Registry Act. By Mr. Pollock, from Huntingdon. By Mr. Strickland, from Dewsbury, Hebden Bridge, Heptenstall, Wadsworth, and Errington; and by Mr. Blamire, from Wigton, Maryport, Cross Cannonby, and Scaleby:—By Mr. O'Connor, from Galway, praying that their Franchise might be preserved under the Irish Reform Bill:—Lord Brabazon, from the County of Dublin, in favour of the English Reform Bill:—By Mr. O'Connell, from Shoreham, to curtail the Labour of Children in Factories.

General Registry Bill.] Mr. *Spence*, on presenting a Petition from Ripon, Yorkshire, against the General Registry Bill, said, the petitioners objections principally applied to the establishment of a General Registry in the metropolis, and he agreed with them in that opinion. Although he was anxious to see registration carried into effect generally throughout the kingdom, yet he thought that object could best be effected by local registries which would be much more agreeable to the public generally, than a general register. He feared the Bill before the House had existed so much ill-will on the subject, that it would prevent the question of registration itself, independent of the particular measure to which the petitioners objected, from being considered with the attention its importance deserved, particularly on account of the general benefit it would confer on land proprietors.

Mr. *Trevor* said, he opposed one of the leading principles of the Bill. It was proposed by it, that all titles must be registered in the metropolis. This would occasion much loss of time and additional expense in transfers of property, when the parties lived at a great distance from the metropolis. Probably these evils might be mitigated by the establishment of county registers, and therefore, if a registry of deeds was advisable generally, he should prefer distinct offices for that purpose.

Mr. *Phipps* said, there was no necessity for any registry in the northern counties. He could take it upon himself to assert that, in Scarborough, the measure was objected to most strongly by all the various interests of the community.

An *Hon. Member* said, that district registers had been found most useful. He observed, that the great majority of the petitions presented against the Bill, came from the landed interest, who, he believed, had a bias against the measure. If he should hereafter find that mortgagees of property petitioned against it, he should be inclined to think their objections of importance; but, in the absence of any such petitions, he must adhere to the opinion he had already formed, that the adoption of a general registry would tend to decrease the expense and simplify the means of transferring landed property.

Mr. *Sandford* considered, that a district registry might be very desirable, although one of so general a nature as was now proposed would meet with many objections.

His constituents were opposed to the system of registration altogether.

Sir *Charles Wetherell* suggested to the hon. member for Stafford, the propriety of postponing his Bill, in order that they might have an opportunity of ascertaining the sense of the country more fully on a question which was at the present moment much contested.

Mr. *Littleton* said, all the professional men in the county of Stafford were against this Bill, and many other persons partook of their sentiments, while many Gentlemen in this House were equally in its favour. He would, therefore, suggest the appointment of a Committee for inquiry, before the House was called upon to come to a decision.

Mr. *John Campbell* was quite ready to assent to the recommendation of his learned friend, by postponing the second reading of his Bill for the present; but he hoped the noble Lord would give him some other day, in order that the question might be fully discussed. When the Bill was read a second time, it was his intention to move, that it be referred to a select Committee, composed of all interests represented in that House.

Colonel *Trench* said, that while there was a conflict of opinion, in which, however, he was sure the opponents to the Bill formed an immense majority, further discussion would be necessary.

Mr. *Pollock* observed, that the landed interest was opposed to the Bill on the ground of the disclosure of private affairs, which it would tend to create. The difficulty and delay of communicating with the metropolitan registry on the transfer of lands, and the impediments it would throw in the way of depositing deeds as a security for borrowing money also alarmed them. Although he, as an individual, thought a modified system of registration would be extremely useful; he was bound to say, nearly every person in Huntingdon who had property, were hostile to the principle altogether, and he, therefore, trusted his hon. and learned friend would not attempt to force a measure upon the country which was opposed by the great majority of those who would be subject to its regulations.

Mr. *John Campbell* thought it would have been better if the hon. and learned Gentleman approved of any part of the Bill, that he should have shewn its merits, rather than give up his own opinion to popular prejudice. He begged to remind the hon. and learned Member that many measures had been carried against the opinions generally entertained out of doors. He would instance the repeal of the Test and Corporation Acts, and the measure of Catholic Emancipation. He, therefore, trusted the hon. and learned Member would exercise his own judgment, and not surrender it to popular dislike.

Mr. *Pollock* felt somewhat surprised at the tendency of the remarks made by his hon. and learned friend, considering his general opinions. His hon. and learned friend seemed to argue that a Member was to pay no attention to the opinion of his constituents. With regard to the Bill, he said the opposition to it arose out of popular prejudice, but when he (Mr. Pollock) found the measure was deprecated by the landed interest in general, he could not think that persons who were so capable of judging of their own concerns, were wholly influenced by prejudice, and, therefore, he could not give his support to the Bill.

Sir *Charles Wetherell* observed, there was a strong feeling against the Bill, as it was expected to lead to the creation of many offices, and was likely to lead to some jobbing.

Mr. *Spence* contended, that this Bill could by no means be considered as a foundation for jobbing on the part of the legal profession. It was intended to confer a great advantage on the public.

Lord *Althorp* pledged himself that the hon. Member should have a day for the discussion of the Bill at the earliest opportunity.

The Petition laid on the table.

TITHES IN IRELAND.] Mr. *O'Connell* presented a Petition from the parishioners of Trinity, within Waterford, complaining of the Irish Tithe System, and praying that all church property might be placed in the hands of Government, to be distributed more impartially for the support of religion. The petition was signed by Protestants as well as Catholics, and, he believed, the opinions they expressed were general throughout Ireland. No persons desired that the Protestant clergy should be deprived of their present incomes, but it was the general wish that while the interests of the present holders of Church property were considered, effectual steps should be taken to put an end to the existing system. The poor, undoubtedly, were formerly maintained out of tithes, and the clergy had but one-third of their produce at most for their own uses. The House would be compelled to put an end to the present evils, and the difficulties would be increased by procrastination. In many districts all classes united in the determination to resist the payment of tithes, and for the claimants to enforce the payment, would only add to the mischief. On these grounds, he had heard of the declaration made by a noble Earl in the other House, on the subject of the preservation of the tithe system with surprise. It could never be upheld even by the employment of all the force of the Government. He was sure if force was thus employed, it would fail, for Protestant and Catholic were united against it, and he thought there was insanity in the attempt. The mode of paying the Irish Church had excited feelings of indignation among all classes. Was it endurable that a rector who took 1,200*l.* or 1,500*l.* from the pockets of his parishioners, to spend in Surrey, Cheltenham, or Bath, only paid a poor curate who performed all the work of the parish, the miserable pittance of 69*l.* a-year, and yet such abominations were notorious. He cautioned Government against the obloquy of being thought to sanction such proceedings. If it were to attempt to coerce the whole Irish nation it would surely fail in the attempt.

On the Petition being brought up,

Mr. *Weyland* observed, that few persons whatever their religion was, paid tithes or any other demands voluntarily; but, the true question was, whether the persons who demanded the payment had a right to it; at all events, those who resisted the payment had no possible right to withhold it. They had purchased their lands or hired them, with the distinct understanding that they were liable to such a claim. If they were to succeed in getting rid of it, all the advantage would go to the landlord or the consumer. As there was such right, the force to be employed to which the hon. and learned Gentleman alluded, was the legal means placed in the hands of the Government to support a demand sanctioned by the law. The tithes could, under no circumstances, belong to those who now refused to pay them; and when they declared that they were determined not to pay their tithes, they were guilty of something like robbery, for they had recourse to acts of violence to keep that money in their pockets which they knew did not belong to them, but to others. As long, therefore, as the law sanctioned the right, the Government was bound to sustain it. When the withholding of a just demand was backed by violence and murder, to give way was only shewing a weakness which would encourage resistance. The hon. and learned Member's doctrines must not be allowed to go forth without their antidote. With respect to the inadequate payment of the Protestant curates, that was not a question connected with the petition, although it was a subject that well merited inquiry.

Mr. *O'Connell* said, the petitioners were calumniated by the hon. Member—[*cries of* "*Spoke*"]. He would not be deterred from speaking when he knew that he was right. He contended that there was no violation of the law in Ireland with respect to tithes, for all that the law could do was, in default of payment, to distrain; but the law could not compel any man to purchase the property thus seized. The people of Ireland only required that justice should be done to them in the same manner as it was done to the people of Scotland. The English fought for fifty years to establish an anti-national Church in Scotland. The Scotch swore by the hilts of their broad swords never to yield to the spiritual domination of a Church to which they were opposed; and they took to the hills, and obtained their rights. The Irish, however, yielded; they had suffered, and they now only wished that oppression should cease towards them. As for any one holding out a palliative to murder—as for the insinuation of the hon. Member respecting those who were opposed to the present system—he thought that he might have spared the language he indulged in. The charge against the people was, to say the least of it, ill-timed. The hon. Member ought rather to attack the system that leads to such results, than the poor people who suffer under that system. He regretted the atrocious murder which had lately taken place relative to tithes as much as any man: it was a base assassination. He did not wish to make much allusion to it; but that gentleman did not stand well with his Catholic parishioners. But did the hon. Member know that tithes were originally given—one-third to the poor, another third for the repair of Churches, and the remaining third for the support of the clergymen. Were those who withheld the portion due to the poor, guilty of robbery or not? The tithes were now, however, all placed in the hands of the clergy, and the Catholics had reason to complain that they had been diverted from their original purpose, when they were called upon to pay for the repair of Protestant Churches, instead of a portion of the Church property being appropriated for that purpose. What could be said of a case in which a Protestant rector refused leave to a Catholic priest to read the funeral service over a respectable Catholic at the grave? He knew that the spectators of the same religion must have felt highly indignant at the circumstance. But he would dismiss this part of the subject: it was unpleasant to continue it; and if his expressions were too warm, he begged to apologise for having used them.

Mr. *Weyland* said, after the concluding observation of the hon. Member, he would no otherwise reply to the attack which he had made upon him, than by saying he had sufficiently atoned for it.

Mr. *Lefroy* denied, that the Protestant clergy in Ireland had been guilty of any wrong in asserting their right to tithes. They were as much entitled to them as the landlord was to his rent. As to the assertion of the hon. and learned Member respecting the apportionment of tithes, and that they were divided into parts of which only one was for the support of the clergyman, he must declare that there was no foundation for that assertion. There was no proof in law that any distinct portion of the tithes was ever appropriated to the repairs of the Church, or the support of the poor, but that they were granted entirely for the decent maintenance of the clergy. There was another subject to which the hon. and learned Member had alluded, which he could not suffer to pass unnoticed. It was that which related to the respectable gentleman who fell a victim to base assassins. That respectable gentleman had always acted in the kindest manner, and there could be no doubt that his being murdered was the result of a deep laid conspiracy throughout many parts of Ireland to resist the payment of tithes—that system had certainly been a cause of dissention in his parish, owing to the rector, contrary to the opinion of the Archbishop of the diocese, having agreed to take a less sum than their value. That arrangement the Archbishop refused to sanction, and then the rector told his parishioners, if they would agree to the Archbishop's terms, he would take what they pleased to give him for his life, but that at his death they would be liable to pay the full amount. They refused—ill-will ensued—and the result was the deplorable catastrophe which the observations of the hon. and learned Member seemed to palliate. He did not believe, that the hon. and learned Member meant any such thing, but his observations would undoubtedly be so regarded by the peasantry of Ireland. He regretted that one word should have fallen from anybody in excuse or extenuation of that atrocious combination which led to such frightful crimes. He was glad that the Government was at length awakened to a sense of its duty upon this subject; but he must confess he should be better satisfied to see their sincerity proved by their acts than their words.

Mr. *Robert Fergusson* was convinced that Ireland would be a scene of discontent and religious strife, until the clergy were paid in another manner: it was impossible, in the present state of society, to maintain a Church Establishment inimical to the feelings of the people. In Scotland these questions relating to tithes could never arise, for the clergyman was paid directly by the landlord, and the Church possessed the attachment and support of the nation.

Mr. *Sheil* said, that the member for the University of Dublin had peremptorily, and with all the authoritativeness which belonged to a person of so much authority, denied that tithes were ever divisible into four parts. He (Mr. Sheil) had, on hearing the statement, gone to the library for *Blackstone's Commentaries*. Let the hon. Gentleman condescend to listen to a passage in vol. i. p. 384: "At the first establishment of the parochial clergy, the tithes of the parish were distributed into a four-fold division—one for the Bishop, another for maintaining the fabric of the Church, a third for the poor, and a fourth for the incumbent." The same position was in *Burn's Ecclesiastical Law*. What became then of the bold and absolute negative of the hon. Member? The hon. and learned Gentleman was on the Tithe Committee nominated by Government, on account, he presumed, of his impartiality. How did it come to pass that he had hitherto absented himself? Where the interests of the Church were at stake, how could the sublunary concerns of a Court of Equity detain him in Ireland? Would that he had attended the Committee! He would then have got some insight into the state of Ireland; the mists that obscured his judgment, and enveloped his entire faculties with so thick a cloud would have been dispersed. He would have felt, on hearing the evidence, that to talk of new penal Statutes, and of imprisoning a nation for the benefit of religion was preposterous. The hon. member for Dysart (Mr. Fergusson), a Scotchman, had put the question on its real merits. Had not the Irish the same feelings and rights as the Scotch? Look at the Statute abolishing Episcopacy passed in 1689. It was contained in ten lines: it simply declared Episcopacy to be against the inclination of the people, and swept it away; and at the conclusion, the King and Queen declared that the religion of the country must be suited to the feelings of the people. The hon. and learned member for Kerry had referred to the declaration of a noble Earl at the head of his Majesty's Councils made in another place last night. He (Mr. Sheil) lamented, that Ministers did not remember that words uttered by men in office were measures in themselves. But he did not believe it possible, that Ministers intended to sustain the abuses of the Church. On the 6th of May, 1824, the hon. member for Middlesex (Mr. Hume) moved Resolutions to the effect that it was expedient to institute an inquiry into the Church revenues of Ireland, with a view to their reduction. Edward Ellice seconded the Resolution. Thomas Spring Rice and Lord John Russell, and, above all, a man encompassed with lustre, bearing a famous and a venerable name, of equal honour and service to his country—Henry Brougham, voted for the Resolution. From the phrases of the Prime Minister, Ireland should seek a resource in the acts of the Lord Chancellor. A pledge had been given, which policy and honour would compel the Cabinet to redeem.

Mr. *Lefroy* said, that notwithstanding what had just fallen from the hon. and learned Member, he begged to repeat his assertion that, by law, the only object to which tithe was to be devoted was the support of the clergy. If the hon. and learned Gentleman had looked a little further into Blackstone, he would have found that his (Mr. Lefroy's) assertion was borne out by that able writer.

Mr. *Sheil*: I really do not know in what part of his works, but will hand the volume which I have before me over to the hon. and learned Gentleman, and should feel obliged if he would correct me, and set the House right upon the law of the question.

Mr. *Shaw* would not go into the general question as to the propriety of continuing the present mode of collecting tithes, nor make any allusions to what had fallen from the hon. and learned Gentleman only calculated to keep alive dissension. Nor would he attempt to answer the eloquent apostrophe of the hon. and learned member for Louth, to the venerated character of Lord Chancellor Brougham; he only felt called upon to make an observation relative to the combinations existing in Ireland among the King's subjects, to withhold the payment of tithes, and to resist the execution of the law. He wished the House to consider the consequences of suffering the law of the land to be set at defiance, and the officers of the law to be maltreated, in endeavouring to put it in force. Was it to be tolerated, that a man might be murdered for endeavouring to defend his rights? He must say, that he heard with the greatest regret the language that fell from the hon. and learned member for Kerry; for that, by many of the ignorant persons engaged in these illegal conspiracies, might be considered as a palliative of a most atrocious murder. The language of the hon. and learned Gentleman would not convey such an impression to the minds of men in that House, but such might be its effect on an ignorant peasantry. Could any one think that when an uneducated people were told that they ought to offer every resistance in their power to the collection of tithes, but at the same time not to do anything illegal, that they would pay any attention to the caution? If the ignorant people were excited to resist the law on one point, could they be restrained at pleasure? He must express his regret at the language that had been addressed to the peasantry on the subject of tithes by a Catholic prelate, between whom and the hon. member for Kerry there was now one of those quarrels which so often end in a stronger alliance. It was clear that as tithes were sanctioned by the law, and formed part of the law, if the collection of them was resisted by force, force must be had recourse to, in order to uphold the law. If the House suffered the payment of tithes to be got rid of by such means, the next refusal would be to pay rent and taxes.

Mr. *Henry Grattan* was extremely surprised at what fell from the hon. member for the University of Dublin; for undoubtedly the law was, as stated by his hon. and learned friend the member for Louth, so laid down by the first authorities. The present system had its foundation in plunder and robbery, and the people had a right, if the House refused to interfere, to endeavour, by all means in their power, to enforce the application of tithes to the objects for which they were originally designed. The Church of Ireland was a Corporation—the trustee of a certain amount of public property—and the clergy ceased to possess the right to that property when they neglected or violated the conditions of their trust. The Protestant hierarchy of Ireland had violated the conditions on which they were invested with tithes, inasmuch as they had appropriated to their own exclusive use, property which, according to the institution and law of tithes, ought to be devoted to the maintenance of the poor, and to the repairs of the Church, as well as for the support of the ministers of that Church. If the hon. and learned Member would refer to the Act 32 Henry 8th, chap. 3, he would find that to be the case. But long before that time, when tithes were first adopted, this rule was rigorously acted upon. If the hon. and learned Gentleman would refer to the first *Capitulaire* of Charlemagne, who first gave tithes to the clergy of the Christian Church, he would find that great monarch expressly states the objects to be that one-fourth part should go to the poor, the second fourth to the Church, the third fourth to the Bishop, and the last to the clergy. Blackstone put the clergy first, and the poor last, but he evidently acknowledged the authority of this law. Again, the Bull of Pope Innocent 3rd, about 1200, which was a decretal to the Archbishop of Canterbury, spoke of tithes as a voluntary payment for the purposes just stated. To prove that this was always considered to be the old law of this country, he would only refer to the second of Coke's Institutes, in his Commentaries on the Statutes relative to tithes; and also to Comyn's Digest. The hon. and learned Member would also find it stated in the Chronicle written in the time of Alfred, in the account of what is called the *fœdus Edwardi et Guthrumni;* and again it is stated in the *Legis Canuti.* The 7th of Richard 2nd, too, recognized tithes to be for the maintenance of the poor, as well as of the clergy. That Act was referred to and confirmed in several subsequent Acts, for instance, the 14th Henry 4th; 15th Edward 4th; 39th Henry 6th; 32nd Henry 8th. What, then, was the case in Ireland? Tithes were not known in Ireland until the reign of Henry 2nd. After they were established, the produce was long devoted to the relief of the poor, as well as the support of the clergy. What ground, then, had the hon. and learned member for the University of Dublin, to assert that tithes were never appropriated to any other object than the decent support of the clergy? He admitted that, according to the existing Acts of Parliament, there was a legal obligation upon the Catholic peasantry of Ireland to pay tithes, but there was no moral obligation. The Church of Ireland had been guilty of an usurpation, and a more mischievous system of misappropriation and injustice never existed than in the Irish tithe system. Property in tithes was different from other property. Landowners did not, like the impropriators of tithes, hold their property from the law, but under the law. The tithes, however, were taken away from a class to which they were originally given, and shamefully devoted to other purposes. Such abominable laws as those connected with tithes in Ireland were never in force even in the worst days of the Roman empire—they were written in characters of blood, and more fit for the inhabitants of Barbary, than for a people calling themselves a nation of freemen. The tithe system had been the cause of nearly all the crimes and outrages that had been committed in Ireland. To that we were indebted for the Whiteboys and other similar lawless Associations. Arthur Young expressly imputed the origin of Whiteboys to the tithe system. The House had too long neglected its duty by suffering such disgraceful laws to continue in the Statute Book; and the blood of Archdeacon Whitty might be traced to the door of that House. The moral responsibility rested on the Legislature. Under the circumstances of the case, he was not surprised that combinations should take place, and outrages be committed. In cases connected with the tithe-law the question was not tried by a

Jury, but the matter was left to the decision of two Magistrates, who were, very generally, clergymen, or the connexions of clergymen. It was too much, then, to expect that an ignorant and a starving peasantry should remain quiet and see the necessaries of life taken from them by the tithe proctor, and their children left to starvation. At present the rental of the glebe land in Ireland amounted to more than the expense of the whole judicial establishment in that country. He would not say that the Church Establishment was a bloated mass of corruption, but it possessed more wealth than it ought. He hoped that the House had been misinformed as to what occurred in another place, and that some effectual measure would be brought forward by the Government to reform the present system.

Mr. *Callaghan* said, the present opposition to the payment of tithes was, not the first which had occurred in Ireland. In 1735, the Irish Parliament abolished the tithe of agistment, and outlawed those who assisted to recover them. Many of the Protestant clergy were in great distress, and he knew they were most anxious for the House to come to some arrangement respecting their rights. He had received information from friends of his in Ireland, stating that the tithes could never again be collected there.

Mr. *Gillon* expressed a hope that Englishmen would be awakened to their rights, and resist by all constitutional and legal means, a system so absurd and unjust as the exaction of tithes. He most heartily congratulated his own countrymen (the Scotch) that they had abolished such a pernicious system, and the consequence was, that they had a church which was universally respected by the people.

Mr. *Cresset Pelham* said, that when the Tithe Composition Act was passed, it was expected, on all sides, that it would pacify Ireland. He regretted to say, that every measure passed with that view only led to greater violence and turbulence.

Sir *Robert Peel* said, that, in justice to the Executive Government, he must protest against these attempts to prejudge the measures which they had announced upon so important a question. He implored Members to suspend their opinion until the details of the evidence given before the Committee they had appointed should be in their hands. If, after that evidence had been produced, the Government should think itself called upon to enforce the law, he should feel it his duty to give it his cordial support.

Sir *Charles Wetherell* concurred in what had fallen from his right hon. friend, and trusted that the noble Lord opposite would confirm a statement made in another place as to the determination of Government.

Mr. *Ruthven* said, he must take that opportunity to assure the House that there would be no peace in Ireland until the tithe system was totally abolished there, and he trusted the people of England would not be deceived upon such an important point.

Lord *Ebrington* said, he hoped the Ministers would not have recourse to any system of coercion to enforce the payment of tithes, unless they accompanied such a course of proceeding with some conciliatory measure, which would be likely to settle the question satisfactorily to both parties. When he spoke of the question being satisfactorily settled, he did not mean an abolition of tithes without some fair adequate adjustment. For the sake of the peace and safety of the country, the question ought to be brought to a settlement.

The Petition laid on the Table.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—NINTH DAY.] On the motion of Lord Althorp, the House went into a Committee on the Reform of Parliament (England) Bill.

The Chairman proceeded to read the 32nd Clause. Several verbal amendments were agreed to.

On the question that the Clause stand part of the Bill,

Sir *George Clerk* said, that as this clause disfranchised all persons holding votes upon any other qualification than the occupation of a house, and that they even lost that right if they were two years absent from the place, it was obvious, therefore, that persons being in the army or navy, or absent upon public duty, would be deprived of their right of voting. He begged, therefore, to ask the noble Lord, whether he had taken this case into consideration, and if he was disposed to adopt an amendment to meet the grievance complained of.

Lord *Althorp* said, if he could possibly adopt the suggestion of the hon. Baronet, consistently with other matters, he would endeavour to make the alteration required.

Sir *Charles Wetherell* understood it was the general impression of the House that an alteration was to be made in favour of persons in the public service, but the whole clause appeared to him very ambiguously worded. He could not understand whether it referred to burgesses and freemen or not; the words were, "provided, nevertheless, that such persons shall for ever cease to enjoy such right of voting for any such city or borough as aforesaid." Who "such person" was, he did not comprehend.

An *Hon. Member* observed, that " uch person" was the individual mentioned immediately before in that part of the clause which the hon. and learned Member had read, and nothing could be more distinctly explained than his qualification, which was to cease under certain circumstances.

Clause agreed to.

On the 33rd Clause being read,

Lord *John Russell* begged to explain, that the sole object of it was, to continue the franchise to the boroughs of Cricklade and Shoreham, as it at present existed. The House would see that the clause was perfectly consistent with other parts of the Bill, because those who were excluded were a different description of persons. An amendment had been suggested to the end of the clause for the purpose of enabling freeholders to be registered, which, he trusted, the House would consent to adopt.

Mr. *Goulburn* objected to it on the ground of its being inconsistent with a former part of the Bill. The House had already decided that 10*l.* freeholders in boroughs, resident on their own property, should only possess a single vote; but he believed that the effect of this clause would be to give 10*l.* freeholders in Horsham, not only a vote for that place, but also one for the Rape of Bramber in which Horsham was situated.

Lord *John Russell* said, the object of the clause was, to preserve existing rights in Horsham, and the other places mentioned in the clause, during the lives of the present possessors; and he did not think that it would effect any thing beyond that object. The boroughs of Shoreham and Cricklade were, in point of fact, small counties. In addition to this circumstance, he begged to remind the House that these places had lately been reformed by Parliament, and the scale of franchise, as it existed, was so good as to preclude the expediency of alteration.

Mr. *Goulburn* requested the noble Lord would inform him on what principle he went when he allowed a freeholder in the Rape of Bramber, and in other places similary situated, to have two votes, when no other freeholder was to have more than one?

Lord *Althorp* begged the right hon. Gentleman to understand that the clause conferred no new rights; it only confirmed existing rights.

Mr. *Stuart Wortley* agreed with his right hon. friend, that the clause was wholly inconsistent with the former part of the Bill; it was absurd, when the limits of a borough were enlarged on account of its gross delinquency, that the freeholders, who were within the enlarged boundaries, were, on that account, to obtain two votes.

Lord *John Russell* said, the Bill made no alteration in rights which had been established by previous partial Reforms. The object of the Bill was, to do away with the existing corruption and nomination. The freeholders of Horsham possessed the right of voting for Shoreham, as being within the Rape of Bramber, and that right was to be retained.

Sir *George Clerk* could not understand why this extraordinary privilege was to be continued to the freeholders of Horsham. He believed the number of persons who would be affected by the clause was not considerable. Still it was a great departure from the other principles of the Bill. He did not think that the omission of the clause would cause any alteration in the constituencies of those boroughs, and, therefore, suggested the propriety of striking it out from the Bill.

Lord *John Russell* said, that as the previous clause regulated borough franchise in general, the boroughs of Cricklade and Shoreham would be included in its operation, unless the present clause was enacted.

Mr. *Goulburn* observed, that the case simply was, that Ministers had laid down a principle that a double right of voting was not to be allowed, and when they came to this particular borough, they granted it an exemption from the general rule which they had applied in all other instances.

Mr. *Bonham Carter* said, the object of the clause was, to provide that every person who possessed a freehold in Horsham should retain the right he at present had to vote for Shoreham. If a person occupied a 10*l.* house at Horsham, this Bill gave him a vote for that place, and that right would affect his claim to vote for the county of Sussex; but a 40*s.* freeholder at Horsham would have no vote for that place, but would have one for the Rape of Bramber, in which Shoreham was situated, and another for the county of Sussex. These two votes he held at present, and the clause would preserve his rights.

Mr. *Goulburn* said, if the hon. and learned Gentleman was correct, how could he reconcile his observations with the following words of another part of the Bill: "Provided always that, notwithstanding anything herein before contained, no person shall be entitled to vote for the borough and the county." If these words were contrasted with the words of the present clause, "that any person now having a freehold vote in the borough of Horsham, shall also have a vote for the Rape of Bramber," the departure from principle would be apparent, and this double right of voting was what he objected to.

Lord *Althorp* said, that the only object of the clause was, to prevent voters for the borough from voting for the county of Sussex, precisely in the same way that voters for other boroughs were prevented doing so, and yet to preserve their right of voting for the Rape, as they now possessed it.

Sir *Edward Sugden* said, if a man had two rights of voting—one for a borough and another for a county—the Bill extinguished one, generally but this clause allowed a double vote, in consequence of the existence of an accidental right growing out of a corrupt borough, having been disfranchised. This was what the framers of the Bill called acting with consistency.

Clause agreed to.

The 34th Clause was agreed to.

The Chairman then read Clause 35, which enacts that no person receiving parochial relief shall be entitled to vote at elections.

Mr. *Wason* said, it appeared to him that confusion and disorder might arise at elections, if those who were employed to keep the peace had votes, as they would thereby become partizans. He thought it better, therefore, that such persons should be disfranchised during the time they held office, and he wished to introduce a provision into the clause to that effect. He would, to attain his object, propose that the following words be inserted as an amendment, "that no person employed in the metropolitan police, or in any force of a similar nature which might be created in any city or borough, should be entitled to vote for Members of Parliament during his continuance in such employment, or within twelve months afterwards.

On the question that these words be inserted,

Lord *John Russell* objected to the amendment, which appeared to him to relate to a question of police regulation, quite unconnected with the subject under discussion. The hon. Member might, if he thought proper, introduce a separate Bill on the subject.

Sir *Edward Sugden* contended that the proposed amendment was perfectly relevant, but whether it was proper to introduce it or not, was another matter.

An *Hon. Member* thought the amendment would be likely to create party spirit rather than allay it. He saw no reason why these persons should be excluded from the franchise, if they were properly qualified, as 10*l.* householders, to enjoy it.

Mr. Alderman *Wood* observed, that at elections, many of the most respectable inhabitants were frequently called upon to act as special constables. All such persons would be wholly disfranchised by the amendment, and the hon. Member who proposed it could scarcely be aware of what he was doing, for the consequence of such a clause would be, that these persons would not act, and riot and disorder might be expected to follow.

Mr. *Wason* said, the worthy Alderman had misunderstood his amendment, he only wished to exclude those persons who received pay for their services.

Sir *Charles Wetherell* recommended the hon. Member to withdraw his amendment as it would occasion much abuse if carried. Parties would contrive to get their opponents sworn in as special constables, and so disfranchise them.

The Amendment negatived.

Mr. *Edward Bolton Clive* proposed, that, in addition to the words "excluding from the right of voting those who had received parochial relief," there should be added words for extending the exclusion to all others who received any "other charitable relief."

Sir *Charles Wetherell* feared that the amendment, as it was now worded, would be productive of considerable difficulty, and in some cases would be productive of injustice. There were many persons who received relief from hospitals in cases of illness, or in consequence of sudden accidents. Though the relief thus received was, in the common acceptation of the term, charitable relief, still it was not so in the eyes of the law, and ought not to be made the ground of exclusion.

Mr. *Baring* said, that in some boroughs persons receiving alms were at present excluded from voting.

Lord *John Russell* approved of the suggestion of a modified amendment, and would not object to the introduction of the words "or rather alms, which, by the law of Parliament now disqualify a person from voting."

Mr. *Goulburn* feared that the words proposed by the noble Lord would not be satisfactory.

Mr. *Edward Bolton Clive* had no objection to withdraw his amendment.

The *Attorney General* approved of the words "law of Parliament." If the amendment went further, it would interfere with the question of what was the law, and that would give rise to disputes. There were, and would be, a variety of opinions as to what was the law.

Mr. *Pollock* said, the reasons urged by the Attorney General were the strongest possible why the clause should be clear and explicit. The law of Parliament changed every Session, and was therefore constantly the subject of doubt. The question of what was relief in the eye of the law was also a matter of some difficulty; but he thought, that by some consideration, they might be able to adopt some expression that would embody the decisions of the law authorities on the question of what was such relief as would disqualify a person from voting at elections. He was not prepared with words at that moment, but if the clause were postponed, he had no doubt some satisfactory words would be found.

The *Solicitor General* said, the original clause, which confined the disfranchisement to parochial relief, was clear, and he, therefore, must oppose any alteration unless that clearness should be maintained.

Sir *Edward Sugden* said, the noble Lord assented to the principle of the modified amendment; and he hoped the suggestion of his hon. and learned friend (Mr. Pollock) would be adopted.

Mr. *Cripps* was afraid that the words now proposed to be introduced into the clause would not obviate the difficulty involved in its terms.

The Amendment proposed by Lord John Russell added to the clause, and the clause itself, as amended, ordered to stand part of the Bill.

Clause 36th having been read, which provides for the establishment of a general system of registration,

Sir *Edward Sugden* said, when a similar clause was introduced in the Reform Bill of last Session, there were reasons put forward in its favour, which did not exist at present. The payment of poor or parochial rates not being then required to entitle a person to vote, it was necessary to establish some other register, in order that the electors might be duly ascertained; but now that the payment of rates was made a qualification, the books containing the names of the rate-payers would be a sufficient registry, if kept under proper regulations. That, too, would facilitate registration and save all the trouble three years out of four. A more expensive machinery than that of the present Bill, or one more difficult to work, could not have been devised. Apart from all party feeling, it was his solemn and sincere belief that few Overseers could be found capable of executing the duties required by this Act. Overseers were generally small farmers or petty shopkeepers, and sometimes gentlemen's bailiffs, and in addition to the difficulty such persons would experience in making out the list of those who had the right of voting, many of them would not have the requisite time, even if they possessed the requisite ability. As these lists were to be open for the inspection of all parties, much jobbing and confusion would arise before they could be completed, and they would be generally got up by some lawyer or partizan in the parish, who would have an interest in their preparation. Where was all this to be done? In the kitchen of the Overseer? That was impossible. The Overseer, too, was to have the power of placing his *veto* on votes. He requested hon. Members to consider the consequences of giving to overseers the power to object to votes, without assigning a reason, as well as the expenses that would be incurred by parishes, and the inconvenience to voters. If the Overseer objected to a vote, the voter would be compelled to appear before the barrister, and defend it. For this purpose he might be dragged to a distance of fifty miles. The noble Lord opposite (Lord Althorp) dissented from this; but surely there could be no doubt upon the point—at least he was certain there could be none with any other Member of that House, except the noble Lord. The whole of the expenses of these complicated proceedings were to be paid out of the Poor-rates; and there appeared to him no sufficient reason for incurring them. The machinery of the Bill was not only unnecessarily costly, it also increased, to an extent much to be deprecated, the patronage of the Lord Chancellor, already too great in consequence of the formation of the new bankruptcy Court. He objected to the clause most strongly on that account. The Bill would call for the employment of 300 barristers at five guineas a day, and their expenses—a rate of remuneration which, he admitted, was not too much; but he conceived that the outlay of the public money ought to be as sparing as possible in the present state of the national finances. The Chief Justice of the Court of King's Bench was not to be trusted, he could not nominate one of the barristers, save under the approval of the Lord Chancellor, who was a high political officer, and, through the medium of the new Bankruptcy Court, exercised power over all the attornies in the kingdom. He could not consent to grant any high political officer such a range of patronage as was liable to abuse, nor would he give to overseers the influence in elections which they would inevitably acquire through the operation of the clause before the House. The effect of it would be to create an annual ferment besides much jobbing in the manufacturing of votes; and the whole would fall in so nicely with Political Unions that they would be able to carry everything, with a high hand at the poll, by coming in masses, and voting in bodies.

Mr. *Cutlar Fergusson* said, that he could not see any force in the objections which had been urged against this clause by his hon. and learned friend. He must particularly deny that the Overseers of parishes would obtain any political influence under this clause, which he considered to have been much improved since it was under the consideration of the House in the last Session of Parliament. According to the present plan, the Overseer's List was not to be made from the List of the rate-payers alone, but any freeholder or other person might claim to have his name inserted in the registry, and if his claim were objected to, he could still go before the Barrister to establish it. The hon. and learned Member might call this a hardship, but it was much less a hardship than calling on every person to make out his claim, instead of reducing the numbers obliged to make out their claim to those who were objected to. In Scotland, before any voter was allowed to poll, he must make out his claim, and therefore, the electors of this country were placed in a better situation then their neighbours. Another great improvement in the clause was, that there was to be a permanent register. By the former Bill, the voter was required to make his claim good every year, but now it was proposed that his name should remain on the list, when once placed there. This arrangement would be the means of sparing much trouble and vexation.

Colonel *Wood* thought that the way in which this clause was now framed justified the objection made to the establishment of a register during the last Session. He had then asserted, that it would be impossible for Overseers to discharge the duties imposed upon them; and, if that Bill had passed into a law, the Overseers would have been called on to make out a list, which the present Bill admitted to be an impossibility. What was the plan now? The Overseer was to place on the door of the church a notification that he was about to make out the register; and on that, all parties, whether resident or non-resident, were to send in their claims. How could a man in London, who had a freehold at Doncaster, know when this requisition was made by the Overseer? or, even supposing that the registers were all made much about the same time, how was the same man to find out that the Overseer had written "objected" against his name? He feared that, when the Bill came into operation, there would be so much trouble and annoyance in being registered, that thousands of persons would neglect to put themselves on the list. Last Session, when he objected to this plan of registration, he had informed the noble Lord that, in the year 1788, an Act was passed, containing even as many clauses as the present, for the purpose of establishing a register of votes all over the kingdom. That bill was repealed in 1789, because it was impracticable. The noble Lord might allege, "that every one by that bill was obliged to register his own vote; but, by our plan, the Overseers are to do it." The Act for repealing the law of 1788, however, had this preamble. "Whereas, the carrying this Act into effect would be attended with great and continued expense, and be productive of many hardships and inconveniences to the freeholders and others, and the said Act is not adequate to the performance of the purposes intended." When he mentioned this subject last Session, the Chairman apprised him of another reason for that repeal. By the bill of 1788, the King's printer was to furnish blank registers for the whole of the parishes, and Mr. Pitt, then Chancellor of the Exchequer, found himself compelled to object to the public incurring the large expense of paying for them. It was true, this bill did not impose the expense of blank registers on the public, but it imposed the tenfold greater expense of three or four hundred Barristers, who were to have their five guineas a-day, and their travelling expenses besides—which would be very large, considering that they would probably go out of town at the beginning of September, and not find their way back till November. He was sure that the taking a lower amount of rent, and thus making the whole matter depend at once on the rating, would be better than this plan, for then they would be able to dispense with all the register clauses, and at once pass the Bill, which was now so far advanced, that, if it were not for the thirty-five clauses which had reference to the register, the House might go to the schedules, and settle the remainder of the question. He was aware, however, that some gentlemen were fascinated with this plan of a register, because they thought it would be the means of saving their own pockets. But they would be mistaken; and he would venture to predict, that the week of election under this Bill would prove just as expensive as the three weeks that were now allowed for the duration of a county election; and, although it was true that there were some objections to popular elections, yet, on the whole, they had always appeared to him to act as safety-valves, for the feelings of the people, and, by carrying these elections into corners, they would be injudiciously altering their character. Another mode of election which he was afraid, that this register would facilitate, though the noble Lord did not intend it should have that effect, was the election by ballot; and he would never lend himself to that un-English, unconstitutional, and cowardly mode of proceeding. For these reasons, he had endeavoured shortly to state to the Committee the objections which he entertained to the present plan. He regretted that, when a point of such importance was under discussion, the House was so thin. It was not creditable either to the friends or the opponents of the measure that so few should be in attendance when the question went so materially to alter the Constitution of the country.

Sir *Charles Wetherell* said, though no friend to this Bill, which he should oppose to the last, he was never hostile to any rational or practicable mode, if such could be devised, of facilitating the mode of taking the poll, of saving expense, and shortening the duration of election contests; but, in his opinion, the plan now proposed, so far from effecting these objects, would give rise to more circuity, labour, expense, and loss of time, than that which it was to supplant. In the first place, he disapproved of the powers given to Overseers. Overseers were generally jobbers on one side or the other; and he could not consent to vest them with judicial powers, or delegate to them the authority hitherto exercised by that House. He might be told that an appeal lay to the tribunal of the Barristers from the Overseers. This did not mend the matter at all, for the Barristers would virtually and operatively be appointed by the Lord Chancellor. This was breaking in completely and entirely upon the independence of Parliament, and making the Lord Chancellor in fact the only returning officer for the whole of the United Kingdom. If the Sheriff, or any other returning officer, was now guilty of misconduct, he might be called to the Bar of the House; but could they call the Lord Chancellor to their Bar?—a person beyond the reach and control of the House. He did not make this objection *pro re nata*, merely to meet present circumstances. It was equally applicable to all times and all Cabinets.

Lord *Althorp* said, the Barristers would be appointed by the Judges.

Sir *Charles Wetherell:* Yes, the Judges might give in a list of names, but then the Lord Chancellor would have the power of picking out those whom he wished to appoint; so that, in fact, he would have the sole appointment of this new tribunal. This clause, besides, exposed the constituents to expense and inconvenience. The lists were to be made out by Overseers—the least competent persons who could be found to make out lists of voters, as they in general had neither the qualifications nor the materials by which a list could be made. It was most oppressive to call upon the freeholders to attend in a certain place, and give in their claim of voting. This, in many instances, would be attended with expense which the candidate would be called on to pay. At the same time, it appeared that if the freeholder did not attend, he lost his right of voting, unless he afterwards appealed to the Court of Barristers. With respect to those persons, he supposed he must use submissive, respectful, and deferential language, considering who was to have the appointment of them. Those Judges, however, would be nothing more than nominees—that sort of character of late so much exposed to censure. The House of Commons never before allowed of such delegations in cases in which their rights were concerned. They would by this Bill have a yearly return of those mischiefs which before were of rare occurrence. He wished to know, out of what sums these two tribunals, the Overseer and the Barrister, were to be paid. He should much prefer leaving the thing as it was to introducing such a system as this. The expense of a contested vote was now paid by the Member: in future it must be paid by the voter. This was a dirty and shabby saving. He had no objection to a compromise that would divide the expense between both. Ministers seemed to him to be worshipping the idol of Lord Brougham or some other Lord Chancellor in thus making him the sole returning officer. It was a gross delusion to call this a Reform in Parliament. He never would treat the Commons of England with such gross injustice.

Lord *Althorp* said, the first question was, whether there was to be a registry or not; and, secondly, whether that which was now proposed was the best that could be adopted. The first question was decided last Session. He thought it impossible to take the poll in several places, or to shorten the duration of elections, without a registry of voters, by which the right of a person offering himself at the poll might be decided at once. It was also of importance, that the decision upon that right should be given impartially, and with a cooler judgment than could be exercised at the time of an election. Both those objects would be accomplished by a system of registration, which would allow of a correct sifting of votes at the time it was made. Then came the question, whether the plan proposed would effect this? To say that any system of registration could be framed, to which it would not be possible to make objections, would be absurd; but were the objections urged against this sufficient to show that it was impracticable, or had any better plan been suggested? The hon. member for Brecon said, that if a different right of voting were adopted, no registry would be necessary; and he suggested the payment of the Poor-rate, for that purpose; but he (Lord Althorp) did not suppose that hon. Member was prepared to admit of Universal Suffrage, which the adoption of the Poor-rate would nearly approach to. If, however, there was to be any qualification, some inquiry must be instituted, to ascertain whether the person claiming to vote, had that qualification; no doubt, that inquiry could be best made previous to the election. To follow this out, it was proposed, that, in counties, on a fixed day in every year, a notice be given to persons claiming to vote in any parish, to make their claim to the Overseer within a certain time. The hon. and learned Gentleman said, that the parties making the claim must be all present in the parish; but that was not at all necessary under the provisions of the Bill—all that was required being, that they should send in their claim to the Overseer. That individual would merely be a Ministerial officer; he would be required to put down every name sent him, only retaining the power common to any one else in the parish-to write the word "objected" against any given name. That power was given to him with a view to put a stop to absurd and ridiculous claims, having no foundation, which might otherwise place men upon the list, who had no business there whatever, and which, even with that precaution, might still, in many instances, take place. It was said, that the Overseer would have immense power; and both the hon. member for Brecon, and the hon. and learned Member who last addressed the House, spoke as if Overseers were generally persons of no respectability or character; but that opinion was quite contrary to experience, and, in country parishes, Overseers were generally persons of a character and situation that rendered it improbable that they would causelessly object to a person who, in the opinion of all his neighbours, had a right to vote. The hon. member for Brecon said, that the necessity of maintaining his objection, by calling witnesses before the Barrister, was thrown upon the Overseer; but such was not the case. He might be asked why he objected; but he would not be under the necessity of going to any expense whatever to maintain his objection—all the effect of it being, that the Barrister would call upon the voter to establish a *primâ facie* right. The plan of proceeding would be this; after the list had been made up, it would be published through the parish, which would give an opportunity to all those interested to state their objections to particular names. It would then be forwarded to the Barrister (who was to be appointed by the Judges on circuit, and not the Lord Chancellor, as had been asserted by the hon. and learned Gentleman), who would proceed to inquire into the cases of disputed votes, of which, after the first registration, there would be few cases to decide, as the persons in each parish could generally know whether the lists remitted to him were correct. Then it was said, the plan of a registry had been before tried, and failed. That failure, however, was mainly owing to persons being at that time indifferent to the right of voting—a feeling that was very materially altered at present. This statement regarded counties only. In boroughs there was no necessity to impose upon the voter the establishment of his claim, because, there the Overseers would be competent to judge of it, from the right being more simple. It was further remarked, that this difference of plan would cause confusion, but he saw no proof of the assertion; and, on the whole, as no better plan had been proposed than that contained in the clause, he must adhere to that; and he trusted it would also receive the support of the House.

Colonel *Wood* wished the noble Lord to understand that he was quite ready to give the vote to every man in counties who could take the freeholder's oath, and was rated at 40*s*, and, in boroughs, to every man rated at 10*l.* If these were Universal Suffrage, he was not opposed to it.

Sir *Richard Vyvyan* observed, that sufficient provision did not appear to be made to guard against erroneous registration. Where there were two Overseers, which was generally the case, who was to decide between them, if they differed? They were not, generally speaking, persons of sufficient qualifications to decide upon disputed votes. He was aware that the noble Lord was in some difficulty as the adoption of a mode of registration, and he was not prepared to suggest any other. Undoubtedly a well-considered system, which would save expense and facilitate the establishment of the right of voting, was most desirable, but there was a great difficulty in creating it. He was, however, of opinion, that the List prepared by the Overseer should be submitted to the parish Vestry, in the first place, for approval. His chief objection, however, applied rather to the Barristers, who were to decide, in almost every instance, in the last resort; for the only appeal from their decision would be the expensive one of an election petition to that House. As the law stood, the Sheriff appointed an Assessor to decide upon questions of disputed votes; and this Assessor was already an officer recognized by the Constitution. He did not see why his functions should be transferred to the Barrister, who was to be appointed by the Judges; or, as his learned friend said, more properly, by the Lord Chancellor. The Barrister might, or might not, be a political partizan, but would he be a better Judge than the Sheriff, or the Sheriff's Assessor? Would he be a less expensive Judge? Would he be less prejudiced than the Sheriff, who had the eyes of the whole county upon him? or the Sheriff's Assessor who might have the eyes of the whole county brought upon him by the public Press? The chief trouble in establishing a general registration would be experienced in the first year: afterwards there would be little or none. In the first year, when all the business would really have to be done, and the whole registration nearly settled for a number of years, both the Overseers and Barristers must partake of the excited feelings existing throughout the country; they must have a bias towards those who were considered to entertain liberal sentiments, and some feeling against those of opposite opinions. On that ground, he objected to this Barrister, who would be appointed by a Cabinet Minister, being the judge of all the disputed votes in the county. Would it not be possible, if the Sheriff and his Assessor did not satisfy the noble Lord, to throw this duty upon the Magistrates assembled in Petty Sessions? His object was, not to find fault with the registration (for of that he approved), nor with the Overseers, though he thought they should not have the power given them by the clause; but to object to the appointment of Barristers, when their functions might be performed by a cheap, constitutional, and unobjectionable tribunal.

Mr. *Cressett Pelham* concurred in the opinion, that the system of registration introduced by this clause of the Bill would tend to shorten the duration of elections; yet, at the same time, it would have the effect of increasing the litigiousness of the people in cases which might come before the House, of controverted elections.

Mr. *Baring* considered the clause of great importance, and particularly deserving of consideration, because all parties agreed in the principle, for all were desirous of diminishing the expense of elections. His objection was less to the machinery, though to that he objected, than to the complicated right of voting which the Bill introduced into our county Representation. The Overseers would be authorized to object to claims founded on freehold, leasehold, copyhold, and other rights, of most of which they might be profoundly ignorant. If any man had set to work to invent the most complicated right of voting, and to establish a court of judicature least calculated to adjudicate upon that right of voting, he could not have accomplished it so completely and perfectly as was done by this clause of the Bill. Any person in a parish besides the Overseer could object to the voters; that quiet respectable people would not do, but troublesome meddling persons would, and the end of the matter would be, that the List would be prepared by some lawyer for his own purposes. He would be met by the lawyers of the opposite party, and the collision that would take place would prolong the contests from one year to another without intermission, and those contests would be of the most annoying description. By one of the late constitutions of France, though they had changed so frequently of late years that he hardly knew which, it was arranged that one-fifth of the Representation should be renewed every year; and the consequence was, that every department of France was kept in a constant state of irritation and confusion. His noble friend, the member for Northamptonshire, would, no doubt, after an election, be glad to forget and forgive for five or six years afterwards all the squabbles, and to live amicably with his neighbours, but if these registration clauses were to pass, the whole country would be kept in a constant state of irritation. With respect to another point he had a single remark to offer, and that regarded the appointment of the Barrister by the Lord Chancellor. If he was to interfere at all with the appointment, the proposition would be open to all the objections urged by his hon. friends; and if he was not to interfere, why introduce his name? He allowed that his noble friend at the head of the law would conscientiously discharge his duty; but he must necessarily be a political partizan. The whole difficulty in this matter appeared to arise from the complexity in the proposed right of voting. If the right were made simple, the Overseers would be competent judges of it. The question, then, was, whether it would be possible to have a more simple right of voting. The noble Lord opposite said, that, to take the Poor-rates at all as a test, would lead almost to Universal Suffrage; but the amount of the rate, which should be a qualification, might be limited. It was not necessary to take as voters all who were rated to the support of the poor; but the scale might be graduated on the principle of property. The nature of the present county qualification opposed no objection; for the principle of the Bill being to give the people the entire power of electing this House, it was right to obtain that object by the simplest method. He felt perfectly convinced that the Legislature must do with the registration clauses what was done with the measure of 1788, namely, repeal them, for the difficulties which then existed had been increased.

Mr. Alderman *Waithman* denied that there was any complication, as insisted upon by the hon. Members opposite, in the right of voting as introduced by the Bill. With respect to the system of ascertaining the right by rating, the Overseers would be guided by former rates, which had been made long antecedent to an election. There was one advantage in the clause, which was, that candidates would be saved the expenses of lawyers and assessors to discuss and adjudicate on votes, and thus enable a candidate, if time was required, to procrastinate the election. He could see no solid objection to the clause.

Mr. *Goulburn* said, a distinction was made in this clause between the county and borough voters, which was of no use, and for which he could see no occasion. The county voter was compelled to apply to the Overseer in a given form, claiming his right; the borough voter, where the means of obtaining information were greater and where voters might have been left more reasonably to take the initiative, the matter was left entirely in the hands of the Overseer, without any trouble to the voter whatever. He felt confident that, in rural parishes, unless some person was interested in putting the names of the parties upon the Register, only a small portion of those entitled to vote would be able to comply with the provisions of the Act. He would not go into the general argument of registration, for to all the arguments that had hitherto been urged against it, no satisfactory answer had been given. He did not wish to agitate this question as one of controversy between the two sides of the House, but his belief was, that if these provisions were not yielded up as impracticable, the country would be thrown into the greatest confusion. The attempt at registration had been tried before, upon principles not different from those under consideration; but the Act was repealed in the succeeding year, with the specific acknowledgement that it was given up because it was impracticable, and led to great expense. At that time it must be remembered the right of voting for counties was simple and clear, compared with what it would be under the Bill.

Lord *Althorp* observed, that giving men in rural districts a form of application must rather afford them a facility than otherwise to obtain their right; and so far from there being that want of information which the right hon. Gentleman supposed to exist in rural parishes, there was not a man in them unacquainted with his right.

Mr. *Goulburn* said, he begged to call the noble Lord's attention to the following proviso in clause 36—"Provided always, that, after the formation of the Register to be made in each year, as hereinafter mentioned, no person whose name shall be upon such Register for the time being, shall be required thereafter to make any such claim as aforesaid, unless such person shall, since the formation of such Register for the time being, have ceased to have the qualification or place of abode described in such Register for the time being." By that was meant, he supposed, that if an individual changed his qualification, he should have a right to make this claim; but, as the proviso stood, it would enable a man to make a claim who had no qualification at all. He begged, therefore, to suggest to the noble Lord the expediency of making this proviso more clear.

Lord *Althorp* said, the meaning was sufficiently clear; it was, that if a party ceased to have the qualification described in the Register, he must, in order to be entitled to vote, make a new application.

Mr. *Goulburn* must suppose that the Solicitor General for Ireland drew up this clause; for, as it stood, it certainly said to an individual, who had sold his qulfication, that he, upon application, might be again put upon the Register.

Colonel *Wood* said, by the terms of the clause, if a person was registered, and afterwards parted with his freehold, there was no provision made that his name should be expunged, so that it might happen that two persons might be registered for the same qualification.

Lord *John Russell* observed, the hon. Member's objection was provided for in the next clause.

On the question that the clause as amended stand part of the Bill, a division was called for—Ayes 168; Noes 65—Majority 103.

List of the Ayes.

[It appears that 188 were actually in the House, and voted on this division, although the Tellers only reported 168. The manner in which the numbers are counted in Committee is so inconvenient, that it leads often to mistakes, as on this evening must have been the case.]

Althorp, Lord
Ashley, Sir J.
Baring, F. T.
Barnett, C. J.
Benett, John
Bentinck, Lord G.
Berkeley, Captain
Biddulph, R. M.
Blamire, W.
Blunt, Sir C.
Bouverie, Hon. P.
Briscoe, J. I.
Brougham, J.
Brougham, W.
Buck, Lewis W.
Calvert, N.
Carter, J. B.
Cavendish, Colonel
Chichester, J. P. B.
Clive, E. B.
Cradock, Colonel
Creevey, T.

Cunliffe, O.
Davies, Colonel
Denison, W. J.
Denman, Sir T.
Duncombe, T. S.
Dundas, Sir R.
Dundas, J. C.
Dundas, Hon. T.
Easthorpe, J.
Ebrington, Viscount
Ellice, E.
Ellis, W.
Etwall, R.
Evans, W.
Ewart, W.
Fazakerley, J. N.
Fellowes, H. A.
Foley, Hon. T.
Folkes, Sir W.
Godson, R.
Greene, T. G.
Harcourt, G. V.
Hawkins, J. H.
Heathcote, Sir J.
Heneage, G. F.
Heywood, B.
Hodgson, J.
Horne, Sir W.
Hoskins, K.
Howard, H.
Howick, Viscount
Hughes, Colonel
Hume, J.
Ingilby, Sir W.
James, W.
Jerningham, H.
Johnstone, Sir J.
Kemp, T. R.
King, E. B.
Knight, R.
Labouchere, H.
Langston, J. H.
Langton, Colonel G.
Lawley, F.
Lefevre, C. S.
Leigh, T. C.
Lemon, Sir C.
Lennox, Lord A.
Lumley, S.
Maberly, Colonel
Macdonald, Sir J.
Mangles, J.
Marjoribanks, S.
Mayhew, W.
Moreton, H.
Morpeth, Viscount
Noel, Sir G.
North, F.
Norton, C. F.
Nowell, A.
Nugent, Lord
Ord, W.
Paget, Sir C.
Paget, T.
Palmer, C. F.
Pelham, Hon. C.
Pendarves, E. W.
Penleaze, J. S.
Petit, L. H.
Petre, Hon. E.
Phillipps, C. M.
Philips, G. R.
Ponsonby, J. B.
Pucey, P.
Poyntz, W. S.
Ramsden, J. C.
Rider, T.
Robarts, A. W.
Robinson, G. R.
Rooper, J. B.
Russell, Lord J.
Russell, Lt. Col.
Russell, W.
Sandon, Viscount
Sanford, E. A.
Scott, Sir E. D.
Sebright, Sir J. S.
Skipwith, Sir G.
Smith, Hon. R. J.
Smith, J.
Smith, M. T.
Smith, R. V.
Spence, G.
Spencer, Hon. Captain
Stanhope, Cap in
Stephenson, H. F.
Strickland, G.
Strutt, E.
Stuart, Lord D. C.
Surrey, Earl of
Talbot, C. R.
Tennyson, C.
Thicknesse, R.
Thomson, C. P.
Thompson, P. B.
Thompson, W.
Tomes, J.
Townley, R. G.
Townshend, Lord C.
Tracy, C.
Troubridge, Sir E.
Tynte, C. K. K.
Venables, W.
Vernon, G. J.
Vernon, Hon. G. H.
Villiers, T. H.
Vincent, Sir F.
Vyvyan, Sir R.
Waithman, R.
Walrond, B.
Warburton, H.
Wason, W. R.
Webb, Colonel E.
Wellesley, Hon. W.
Western, C. C,
Weyland, Major
Whitmore, W.
Wilbraham, G.
Wilde, T.
Williams, J.
Williamson, Sir H.
Wood, C.
Wood, J.
Wrightson, W.
Wrottesley Sir J

SCOTLAND.

Adam, Admiral
Dixon, J.
Fergusson, R.
Gillon, W. D.
Halliburton, Hon.
Jeffrey, Rt. Hon. F.
Johnston, A.
Johnstone, J.
Johnstone, J. J.
Mackenzie, S.
M'Leod, R.
Sinclair, G.
Stewart, E,

IRELAND.

Belfast, Earl of
Bodkin, J. J. H.
Browne, D.
Brownlow, C.
Burke, Sir J.
Carew, R. S.
Chichester, Sir A.
French, A.
Leader, N. P.
O'Connor, Don.
Ponsonby, Hon. G.
Power, R.
Rice, Right Hon. T.
Ruthven, E. S.
Sheil, R. L.
Walker, C. A.
Westernra, Hon. H.
Wyse, T.

TELLER.

Duncannon, Viscount

The Chairman read the 37th Clause, relative to the making out of lists of electors by the Overseers.

Sir *Charles Wetherell* opposed the clause. He thought it better that the list should be forwarded by the Overseer to some other person to be remitted to the Barrister, then to the Clerk of the Peace, as they had no other duties in common.

Colonel *Wood* remarked, that the list was to be transmitted by the Overseer to the High Constable, from him to the Clerk of the Peace, from him to the Barrister, and from him, when completed, to the High Sheriff.

Sir *Richard Vyvyan* was of opinion, that some remuneration should be granted to Overseers, whose labours under the clause would be very considerable.

Sir *Edward Sugden* complained that, upon the last division, the time of the House had been trifled with by the Members on the opposite side, who were conscious of being the majority. The cry of "divide" had proceeded from a knot of hon. Members who, just on the point of the division, entered the House to vote upon the question, which they knew nothing of; and although they heard none of the arguments made use of by the opposers of the clause, they came trooping in to swell the majority for Ministers. Certainly such conduct was extremely irregular, and sufficiently indicated the *animus* with which they gave their indiscriminate support to the Ministerial framers of the Bill.

Lord *Milton* observed, that the charge now made against some individuals on his side of the House was of a very grave nature. It was a most unparliamentary charge to assert, that Members had called for a division when they knew they were in a majority, and he thought the learned Gentleman was bound to substantiate it against the individual or individuals whom he intended to inculpate.

Mr. *Shaw* said, that he heard the cry of "divide" come from one corner at the other side of the House.

Sir *Edward Sugden* said, that the cry came from a mass of persons on that side, where there was a stimultaneous rush. He could not point out any particular individual. It was after the question had been put a second time that the "No" had come from the quarter he had alluded to, and he hoped the Member who had caused the division would have the candour to avow it.

Captain *Berkeley* said, that the hon. Gentleman had made a most unfair attack upon Members on that side of the House. The rush of persons who had not heard the debate was greater on the hon. Member's side of the House, and he most distinctly heard the hon. Member for the University of Oxford cry out "No."

Mr. *Goulburn* did not deny that the noes came first from his side of the House, but he put it to hon. Gentlemen whether a discussion like the present was not unadvisable.

Sir *Robert Inglis* admitted, that he did say "No," and took no blame to himself for having done so.

Sir *George Rose* said, that he was the person who pointed out to the Chairman from whence the "No" came, which was the immediate cause of the division. He, however, fully agreed that a conversation like the present was anything but useful.

The reading of the clause was then proceeded in by the Chairman to the effect, that extra parochial places having no overseers, should be deemed for the purpose of the Act, to be within the adjoining townships.

Mr. *Goulburn* said, this provision would cast an immense deal of additional labour upon the overseers of the adjacent parishes, for which they were to receive no remuneration. It, therefore, was not very likely the work would be well performed.

Mr. *Strickland* was also of opinion, that so much of the overseer's time would be taken up by carrying the Act into execution, that some moderate provision ought to be allowed him as a compensation for labour.

Sir *Charles Wetherell* said, the great objection to the clause was, that persons would be called upon to pay for that in which they had no interest. The rates were collected, not from the electors only, but from the parish at large, many persons in which might have nothing to do with the votes for the county; and yet these persons were required to pay for ascertaining the votes of other persons.

Sir *Edward Sugden* wished to call the attention of the hon. member for Yorkshire (Mr. Strickland) and of the noble Lord, to a subsequent clause in the Bill, relative to the expenses of the overseer. The words of the clause were: "And be it enacted, that the expenses incurred by the overseers of any parish or township in making out, printing and publishing the lists and notices directed by this Act, and all other expenses incurred by them in carrying into effect the provisions of this Act, shall be defrayed out of the money collected or to be collected for the relief of the poor in such parish or township." The question therefore was, whether under this clause, the overseer would not be entitled to compensation for labour, as well as to have his expenses defrayed. The probability was that, in practice, such compensation would be made. If it was the intention of the noble Lord that no remuneration for labour was to be specifically allowed by this Bill while, in practice, such an allowance would be made, the inconsistency of the two provisions would be very objectionable.

Lord Althorp did not consider that the clause to which the hon. and learned Gentleman had referred, authorised any remuneration to be given to the overseers, for the labour they might be called upon to perform, in carrying the provisions of this Bill into effect; nor did he think that it was the intention of the law generally that such officers should be entitled to remuneration for labour.

Mr. *Weyland* remarked, that it must also be understood, that by this law the parish authorities had no power to make any remuneration to the overseer; and the overseer no right to claim any out of the Poor-rates for whatever services he might have to perform under this Act.

Mr. *Fyshe Palmer* had always understood that the vestry had the power to defray the expenses of the overseer. In many cases the overseer had little or nothing to do, as another person was appointed who really did the principal part of the duty, and was always paid for his labour.

Mr. *John Campbell* said, it was to be regretted that public officers should have any very expensive or troublesome duties imposed upon them; but, in this case, the duty cast upon the overseer would not be great. Some persons had been obliged to attend at the Court of King's Bench from day to day, for the last fortnight, awaiting the trial of some causes before my Lord Tenterden; and who would not have a shilling a day for their protracted attendance. That was a case ten times harder and more troublesome than that of making out the list of voters, which would be cast upon overseers by this Bill. He did not think two whole days in the year would be occupied by such labour. But as the duty must be performed, it was much better that it should be done at their own cost, than open such a door to the appropriation of a part of the Poor-rates.

Clause agreed to, and the House resumed.

HOUSE OF LORDS,

Thursday, February 9, 1832.

MINUTES.] Bill. Read a third time; Court of Session (Scotland).

SALARY OF THE LORD CHANCELLOR.] Lord *Ellenborough* said, their Lordships would, no doubt, recollect that last Session a Bill passed for altering the Administration of the Laws in Bankruptcy. Their Lordships were given to understand, when the Bill was under their consideration, that due care would be taken to make an adequate provision for all those interests which might be injuriously affected by its operation, and that a prompt and speedy provision should be made for the office of Lord Chancellor, the emoluments of which were, by that Bill, much curtailed. It was fit that a provision should be made for the proper support and dignity of that great office. Whatever convenience there might be in such provision taking its rise in the other House of Parliament, he was satisfied that their Lordships would not have passed the Bill which diminished the emoluments of that office, unless from an express understanding that a measure should be brought in under the direction of his Majesty's Ministers, to provide a fit and proper salary for the first law officer of the country. After the other House of Parliament had approved of the Bill, a compensation had been provided for all the persons concerned, except the Lord Chancellor, and he had understood that the Lord Chancellor had waived all consideration of salary. He adverted to the subject without any communication with the noble and learned Lord on the Woolsack, or with his Majesty's Ministers; at the same time he thought it would be more fit and more agreeable to the noble and learned person chiefly interested, if the observations on the subject should proceed from that side of the House. It was his earnest wish that no time should be lost in making a fit and proper provision for the Lord High Chancellor in order to enable him to support that state, which as the first law officer of the realm, he was bound to keep up. It was due to the proper administration of justice, and the dignity of the office, that no time should be lost in effecting that object by parliamentary enactment.

The *Lord Chancellor* was quite sure that the noble Baron had made his observations with the best personal intentions towards the humble individual who now had the honour to hold the Great Seal, and with the best public wishes towards the dignity of the office. The statement of the noble Baron was correct as far as regarded himself, for it was his wish to promote by all the means in his power the passing of the Bill mentioned at the close of last Session. The subject referred to, however, was one that none of his colleagues had ever broached to him, and he would be no party to originate any arrangement concerning it. He knew that nothing whatever had been done, and it was his full determination to take no part in any discussions on the subject, and to have no communication on it with any person whatever.

HOUSE OF COMMONS,

Thursday, February 9, 1832.

MINUTES.] Returns ordered. On the Motion of Mr. MARRYAT, for a Copy of the Memorial of the Inhabitants of Trinidad to Lord GODERICH in November, 1831, praying for a change in the Legislative Council of the Island, and of his Lordship's reply; of the Statement and Observations of the Committee upon the Taxation and Expenditure of the Colony, transmitted to Lord GODERICH, with his Lordship's Reply, and Copies of Memorials of the Council and Inhabitants of Saint Lucia, respecting the Expenditure of that Colony, with his Lordship's reply:—On the Motion of Mr. COURTENAY, Number of the Annual Finance Accounts presented to Parliament in each of the years from 1824, to 1831, inclusive:—On the Motion of Mr. HOPE VERE, for a Return of all Cases sent by the Court of Session to the Permanent Lord Ordinaries, for their Opinion and Advice, during the last two years:—On the Motion of Mr. SPRING RICE, for a Copy of the Memorial of Messrs. Leafson and Coles, addressed to the Lords of the Treasury on the 4th Instant, praying for a further Investigation with regard to the Importation of Foreign Silks, and for a restitution of the penalty of 20,000*l.* paid by them on that account.

Petitions presented. By Mr. Shaw, from the Catholic Artizans of Galway, for the Reservation of the Rights of the Galway Freemen in the Irish Reform Bill, and from the Protestant Traders of the same place, for the Repeal of Stamp Duties on the admission of Freemen to Corporations:—By Mr. Sandford, from Wells, Wedmore, and Mark, in the County of Somerset, against the General Registration Bill; and from certain Silk Throwsters complaining of the Distress brought upon them by the introduction of Foreign Silk:—By Mr. Pendarvies, from the Inhabitants of Falmouth, for Commuting the Punishment of Death for Offences against Property:—By Mr. James Johnstone, from the President of the Board of Health at Inverness, for the Repeal of the Soap Duty:—By Mr. Curteis, from the Licensed Victuallers of Brighton, praying for Relief from the Responsibility to make Restitution for the Loss of the Property of their Inmates.

Duty on Stained Paper.] Mr. *Shaw* presented a Petition from the Paper Stainers and Manufacturers of Ireland, praying that the Excise Duty on Stained Papers might be repealed. One of the best reasons for the repeal of the tax was, that it proved totally unproductive, the whole amount of revenue collected being only 1,250*l.*, while the cost of collecting it exceeded that sum. From the scale of duties, as it stood at present, even this small sum was paid almost wholly on the paper used by the poor, while the paper used by the rich altogether escaped. Another evil attending this partial scale of duties was, that the high rate upon low-priced papers prevented their being generally used, by which many persons were thrown out of employment. There were but few manufactures in Ireland, and those were in a most languishing state. He did hope, therefore, that Ministers would take the prayer of the petition into their most serious consideration, and that it would be also supported by the Irish Members generally.

Mr. *O'Connell* said, as this was an Irish grievance, he feared it had not much chance of being attended to, although it deserved to be so when it was considered, that low-priced paper paid a duty of 100 per cent, and the more costly used by the higher classes, only two per cent.

Mr. *Crampton* said, the scale of duties was precisely the same in England as in Ireland; but if the tax was an onerous one in Ireland it deserved consideration.

Mr. *Leader* observed, the petitioners complained that the sum received as revenue on their manufacture was in no proportion to the injury they received from the impost; the duty was assessed on the extent of the article without regard to the value, and therefore it fell heavily on the low-priced papers. There was another most important consideration, French papers could be imported and sold in this country for nearly the amount of the Excise duties upon the home manufacturer. Under such circumstances, and when the smallness of the duty was considered, he did hope the prayer of the petition would be attended to.

Mr. Chapman also supported the prayer of the petition.

Mr. *Shaw* on moving that the petition be printed, observed, that the hon. and learned Solicitor General for Ireland had said, the duties were the same in both countries, inferring, that it could not be called an "Irish grievance"; but the peculiarity of the case was, that the cost of collection was more than the revenue received in Ireland. He lamented that there were none of the Ministers present to answer the appeal made on behalf of the petitioners; but Irish business seemed to be generally treated with indifference.

Petition to be printed.

Tithes (Ireland).] Mr. *Chapman* said, that the Petition he held in his hand related to a question which had acquired, within the last few days, a most painful and serious importance—the question of Tithes in Ireland. The petition he held in his hand emanated from certain inhabitants of the county of Westmeath, and among the signatures to it, was one of a clergyman of the established Church. Its prayer was, that Parliament should cause an inquiry to be made on the subject, for the purpose of effecting a total abolition of the present system of tithes. Had he presented it only two evenings since, he should have contented himself with requesting permission to refer its consideration to the Committee now sitting; but in that brief interval occurrences had taken place, both here and elsewhere, which made it his duty, as an Irish proprietor, to express his feelings, and deplore the dangerous and mischievous threats which had elsewhere been held out. They had been told that force was to be employed to crush the combination against tithes! Now, when they reflected that this combination was one most serious in its nature—when they recollected that the Secretary for Ireland, in his speech on proposing the Committee, stated it to be extensive at the moment, hourly increasing, and sympathized with by not only many in Ireland, but that even in England there existed in some of the markets a difficulty to procure purchasers for Irish tithe-cattle—when they recollected all this, they could not but feel how fearful might be the results of the course of conduct proposed to be adopted by his Majesty's Government: he still, however, hoped that such a course would not be persisted in. He would also take this occasion of expressing his regret that the Tithe Committee had restricted its inquiries solely to the consideration of tithes; for he felt convinced, that the church lands and other properties would, if properly applied, prove an ample, full, and abundant provision for the Established Church; and, in such a case, the amount of tithes being much diminished, they might be raised in the shape of an acreable cess, and converted to one of their original destinations—the support of the sick and infirm—and diminish the necessity for introducing poor laws into Ireland.

Mr. *Blackney* said, "Although I am persuaded the Tithe Committee comprises much of talent and virtue, I do not anticipate a satisfactory result from its labours; and I should feel unworthy of the confidence of my constituents, and little deserving the regard of my country generally, did I lead them to expect a release from tithes arising from the management of a Committee so constituted. The Government, perhaps, anxious to conciliate—where it might be obvious conciliation was impracticable—have slighted the party most aggrieved, in the persons of their Representatives: a circumstance little calculated to allay party feuds, or to reconcile a pauperized population to the payment, in any shape, of the obnoxious impost of tithe. In the formation of this Committee, Catholics, and Catholics only, were excluded; and we are told it was expedient, and the result of deliberate conviction; but the right hon. Gentleman the Secretary for Ireland assures us, notwithstanding, that Catholic feeling was consulted, and would be amply represented in the Committee by Protestant Irish Representatives. He is further pleased to add his belief, that if Catholics were on the Committee, under the obligations imposed upon them, they would conscientiously perform their duties. Sir, I must confess, I felt as I think it became me upon this occasion, and cannot, therefore (being one of the proscribed), acknowledge that I was flattered by this, perhaps well-meant, but, as it appeared to me, rather clumsy compliment from the right hon. Gentleman. The noble Lord, the Chancellor of the Exchequer, apprehended feelings of jealousy from the Protestants, if they were not allowed to settle this matter themselves. Sir, I take leave, with much humility, to reiterate what I so lately stated in this honourable House, with no little knowledge of the feelings of a great portion of tithe-payers, that I sincerely believe that that great question is already nearly settled in Ireland. The policy of the Bishops in another place, coupled with the Horn-book we shall have presently from the Committee upstairs, will, it may be hoped, extinguish for ever that disgraceful legalized plunder. This new edition of the Parson's Book will be sought with deep anxiety; its pages will unfold much of the oppressions of a luxurious, idle, Irish Church. Such an exhibition cannot fail to excite in the bosoms of Englishmen much of sympathy and indignation, and engage all honest Reformers, all sincere advocates for universal freedom, constitutionally and legally to make common cause with Ireland in so glorious a struggle. I feel complimented by the indulgence of the House, and most sincerely support the prayer of the Petition."

Petition to be printed.

LABOUR OF CHILDREN IN FACTORIES.] Mr. *Sadler* presented a Petition from Huddersfield, signed by 10,000 persons, and among them by several clergymen, in favour of the Bill for the protection of Children in Factories. The petitioners, he could assure the House, made a most temperate, and yet affecting statement of the miseries these unfortunate children underwent. Their labour was prolonged even beyond the term to which adults were limitted; they were frequently at work throughout the night in a heated and pernicious atmosphere. The prayer of the petition was, that the House would consider those who were unable to help themselves, and whose parents, from the prevalent distress, were also unable to protect them. He would also take that opportunity to state, that many of the most considerable of the manufacturers themselves were anxious to have some legislative arrangement; for, however desirous they might be to limit the hours of labour, they were compelled to continue the existing practice, from the competition of others, who had no such feelings of compassion.

Mr. *Robert Ferguson* had reason to believe that some of the statements in the petitions on these subjects were much exaggerated, and recommended the appointment of a Select Committee, whose inquiries would enable them to legislate on facts. He wished to take that occasion to say, that he found he was mistaken when he had asserted, on a former occasion, that these children were apprenticed out by parishes, for the purpose of releasing them of the Poor-rates.

Mr. *Sanford* said, that the charge of overworking children did not apply to the manufacturers of the West of England. These manufacturers were quite willing to consent to the passing of a Bill for the protection of children, but they objected to the severity of some of the details.

Mr. *Schonswar* was convinced there was no exaggeration in the statement of the petition; and he trusted there was no man of common feeling, or common sense, who would deny, that the case of these unhappy children deserved the serious attention of the House; nor could he conceive a more desirable occupation for the Legislature than for it to interfere between these infants and their masters, and shield them from the oppression to which they were now subjected.

Mr. *Hume* said, it was, no doubt, the duty of the House to protect those who were unable to help themselves: but he hoped they would proceed with due caution, for it was a question that affected many persons. It was not simply the case of young and helpless children, but it was bound up with the interests of the manufacturers; and it was essential to the welfare of the country at large, that as little legislative interference as possible should take place between masters and servants. He therefore begged to add his recommendation to the proposal for a Select Committee, before which all the various interests concerned could be regularly taken into consideration; and the result might be some legislative enactment, which would have the effect of preventing in future any undue influence on the part of the master.

Mr. *John Wood* fully concurred with the statements of the hon. member for Middlesex. He had been a Member of a former Committee appointed to inquire into the state of the children employed in the cotton trade, the labour of which was brought to a close by the dissolution of Parliament, but he could declare from his experience on that Committee, that it was quite necessary that the Bill should be submitted to the same ordeal. The various trades differed in their mode of employment, in their hours of labour, and in their relative healthiness. All these matters could be inquired into before a Committee. He feared that an erroneous opinion prevailed among the operatives themselves, as to the object of the measure; they expected to receive the same wages for ten hours work as they did at present for a longer term. He mentioned these circumstances to show, that justice could not be done, unless the subject was thoroughly investigated.

Mr. *Weyland* said, the question was, whether the masters paid proper attention to the moral and temporal welfare of the children. From the statements made, he believed, they did not, and it was, therefore, the duty of the Legislature to make provision to insure the attainment of that object. He did not consider this was an improper interference with the master, or that it would render him less able to compete with the foreign manufacturer. The only competition that existed was in the home market, and it was the bad master who, by over-working the children intrusted to him, was thereby enabled to undersell the more humane employer. He thought a sufficient case had been made out, and that the hon. Gentleman would perform a public service by pressing the measure.

Mr. *Cressett Pelham* was satisfied, that the continuance of such a system would go far to demoralize all those subjected to it. He, therefore, thought the House was bound to interfere even on the ground of humanity alone. In the excellent establishment at New Lanark, great care was taken to prevent the children from being over-worked, and, at the same time, great attention was paid to their proper instruction. He thought much might be done in other places by the same measures being pursued. He, therefore, trusted the hon. Member would persist in bringing forward his Bill, and he should have his cordial support.

Mr. *Sadler*, in moving that the petition be printed, observed, that the House had frequently inquired on the subject, by Committees, during the last thirty years, but without the public deriving any advantage from these inquiries, and when it was known that the law limited the labour of an adult felon to ten hours a day, he thought they could not be wrong in applying the same rule to children of nine years of age. Some hon. Gentleman had hoped the House would not be led by excited feelings to legislate without inquiry; but every man of humanity must have intense feelings of compassion when the sufferings and miseries of helpless children were detailed. When the proper time arrived, he should be prepared to show, that crime and mortality had increased, particularly among the youth in the large manufacturing districts, by the excessive sufferings and slavery the children had undergone. He did not propose to refer the question to a Select Committee, but hoped the House would openly and boldly take the matter into its own hands. He trusted too that he should have the assistance of Government in maturing a system of justice and humanity respecting the employment of children in manufactures, to which a large portion of the public were anxiously looking.

Petition to be printed.

GOVERNMENT OF TERCEIRA.] Sir *George Murray* rose to present a Petition which was connected with the Motion about to be submitted by his hon. friend (Mr. Courtenay). It was from a shipowner of Kincardine, complaining that the ship *Alexander* had been detained in the month of April last, by the Government of Terceira. The ship had been boarded at Angra, and kept without sailing for a period of six weeks, by which a loss of 600*l.* had accrued to the parties concerned. The case appeared to him to be clearly established; all the allegations of the petition being fully borne out by documents. He, therefore, trusted that his noble friend the Secretary for Foreign Affairs would turn his attention to the subject, with a view to afford relief to a party who appeared to have been hardly used.

Viscount *Palmerston* begged to assure his right hon. friend that this subject had had every attention paid to it, and he regretted he could hold out no hopes of relief. He had referred the application made by the petitioner to the legal authorities usually advised with by the Government, and they had been of opinion that according to the licence allowed by the law of nations to every government, the regency at Terceira had only exercised an acknowledged right in laying an embargo upon this vessel amongst others within their ports, while the prospect of war rendered such a course necessary. Other cases of a different nature had occurred in the course of this contest, and the case of the detainers at Lisbon had been a clear violation of every rule of international law. To show, however, that his Majesty's Government looked with no partiality towards the Terceira government, he should mention that in another case of seizure of a vessel by that government, not within this rule, compensation had been required and fully made.

Sir *George Murray* said, that while the *Alexander* was seized, a French vessel was allowed to proceed on her voyage. This made something in the case, though he had no doubt that his noble friend had given the subject a proper share of attention.

Viscount *Palmerston* observed, that even although the government of Terceira might not have exercised its rights with regard to a French vessel, that omission upon its part would not justify the British Government in interfering where the right was admitted.

Petition to be printed.

RELATIONS WITH PORTUGAL.] Mr. *Courtenay* then rose, and said, no man who had paid attention to the history of the country—no man who had attended to the communications made from the Throne during the last four years, and particularly no one who had read the eloquent speeches addressed to the House two years ago, by the noble Viscount opposite (Palmerston), and by the right hon. member for Knaresborough, could have any doubt of the importance of the relations which he was then about to bring under the attention of the House, or the propriety of their occasional discussion in the Commons House of Parliament. That he was the individual to introduce a subject of this high importance arose from an accidental circumstance, to which he should by-and-by allude, but he could not commence his observations without claiming the indulgence of the House towards one, who, although an old Member of Parliament, was, after twenty years' service, and probably in the last year of that service, originating, for the first time, an important discussion in that House. If there were general grounds for, at all times, closely attending to our relations with Portugal, there were surely, in the recent occurrences which had taken place, peculiar reasons for then demanding an inquiry into them. For four years, at least, all diplomatic intercourse with this, one of our most ancient Allies, had been suspended. In addition to this, they had been told in the Speech from the Throne, at the opening of the present Session of Parliament, "That the dangers of a disputed succession would require his Majesty's most vigilant attention to events by which not only the safety of Portugal, but the general interests of Europe might be affected." These were strong reasons for the discussion of the subject; but a third reason had operated upon him personally, and he might say, accidentally imposed upon him the duty of bringing it forward; this was his knowledge of the peculiar situation in which his noble friend, the Secretary of State for Foreign Affairs, was placed. He was not indisposed (it would be strange if, after having been himself so many years connected with his Majesty's Government, he were so) to give to a Government considerable confidence in their administration of foreign affairs. But to this there must be some exception, when it happened that a Member of that Government was so biassed and prejudiced by his conduct before he took office, that the presumption which his talents and judgment would otherwise excite in favour of his measures must necessarily be diminished. In that predicament, the noble Lord, the Secretary for Foreign Affairs stood. Let not his noble friend suppose, from that declaration that he was about to make any charge prejudicial to the excellence of his personal character, or the consistency of his principles; on the contrary, he meant to charge the noble Lord with a mischievous consistency which was creditable to him as a man, but prejudicial to the interests of the country. It was under these circumstances that he rose to call for the production of certain documents, and to request from the noble Lord (to whom, if he did not give the appellation which he usually did himself the honour of using, it must be attributed to the peculiar circumstances of the occasion) some explanation of the nature of those relations which were particularly placed under his charge. But before he stated what his motion was, he was anxious to state what it was not. He was peculiarly anxious, after all the discussions which had taken place in that House and elsewhere respecting Portugal, to state, that he did not stand there as the advocate of any one of the disputants connected with Portugal. To him Don Pedro or Don Miguel were both alike, with respect to his immediate object. His only reference was to Portugal itself. If the movement which appeared to be going on throughout Europe, and which in France was evidently tending to republicanism, and might, perhaps, lead to a similar result in other States, should convert the government of Portugal into a representative government, to Portugal, under those circumstances, would all his observations be equally applicable. His object was, not to advance the cause of any particular dynasty, or of any branch of any particular dynasty, but to take the course which, in his opinion, was most conducive to the preservation of peace; to press the observance of that system of non-interference which was practised by the last Administration, and avowed by the present on entering office; although, as he should presently show, and on this point he should demand explanations, since greatly departed from. To elucidate and justify the positions he should take, it would be necessary for him to give a short narrative of the transactions with respect to Portugal of the last three or four years. He would be as brief as possible, and he trusted the House would bear with him from the importance of the subject. He would begin at that point of time when the noble Lord (Palmerston), the Duke of Wellington, and his right hon. friend near him (Sir R. Peel), formed a part of the same Administration; and the propriety of his doing so would be sufficiently apparent in a very short time. Early in the year 1828, his late Majesty, acting by the advice of an enlightened Cabinet, of which the present Secretary for Foreign Affairs was one, addressed his Parliament in these words:—"His Majesty has the greatest satisfaction in informing you, that the purposes for which his Majesty, upon the requisition of the Court of Lisbon, detached a military force to Portugal, have been accomplished. The obligations of good faith having been fulfilled, and the safety and independence of Portugal secured, his Majesty has given orders that the forces now in that country should be immediately withdrawn."* He mentioned this to shew that at that period there had been no determination on the part of the Government, indeed that there was a positive determination to the contrary, to interfere in any way with the internal affairs of Portugal. British troops were sent to Portugal, at the suggestion of Mr. Canning, to repel the foreign invaders of that country. The enemy retired, the object was attained, the troops were withdrawn. Sorry was he, very sorry, that the connexion of the noble Lord opposite with the then existing Government continued but a very short period after the latter circumstance had occurred. The noble Lord's retirement from office, however, did not take place until after Don Miguel had returned to Portugal; nor, although that prince had not then assumed the title of king, until after he had, according to the avowal of Mr. Huskisson, as well as the declaration of Sir Frederick Lamb, our Ambassador at Lisbon at that time, exhibited the most unequivocal marks of an intention to depart from the charter to which he had sworn to adhere. He had removed every officer supposed to be faithful to the constitution, or who had served under count Villa Flor. He had, besides, dissolved the Chamber without calling another, which was in itself an actual breach of the charter. Nevertheless, after this conduct on the part of Don Miguel was known, the noble Lord, as a Member of the then Cabinet, concurred in the order for the withdrawal of his Majesty's troops, and that order was signed by Mr. Huskisson. He mentioned this, not to censure the noble Viscount, but to show the position in which these affairs stood when the unfortunate separation in the Government, to which he had alluded, took place, and when the connection of the noble Viscount with the then Ministry was dissolved. Up to that time Ministers had taken no part in the internal affairs of Portugal. Of the claimants or aspirants to the throne they had determined neither to assist the one nor to defend the other. They attempted to conciliate the differences between the two parties. Those attempts were vain; and every thing continued in abeyance for nearly two years. There was, during that period, on the part of the Government, then deprived of the talent and ability of his noble friend opposite, no chivalrous interference for Donna Maria, no precipitate recognition of him who had usurped her throne. Yet, at that time the Government was assailed on both sides, on one day for taking too strong a step in favour of Donna Maria; the next, for not allowing her to make this country a dépôt from which she might gather strength to attack the usurper of her rights. But, notwithstanding these attacks, the Government, throughout the whole of that period, observed a strict neutrality. Towards the end of that period, however, the right hon. Gentlemen who had seceded from the Government began to exhibit symptoms of discontent at this neutrality; and the right hon. Gentleman, the member for Knaresborough, submitted a motion to this House, bottomed principally on personal attacks upon Don Miguel, whom he represented as having been placed on the throne of Portugal, contrary to the wishes of the people of that country. The principle of Mr. Canning was non-interference, unless that rule should be disregarded by other nations. On that occasion his right hon friend (Sir R. Peel) laid down the principles of neutrality upon which the Government had acted, and clearly showed that they were the principles which Mr. Canning had followed, in common with the rest of the then Government. In the declarations of his right hon. friend, a then conspicuous Member of that House, who now held the office of Lord Chancellor, Mr. Brougham, joined. That eloquent person, using language which it would be dangerous to most speakers to adopt, said there must be "a vigorous non-interference." On that occasion, however, the noble Lord (Palmerston) made the first of those celebrated speeches upon foreign affairs, which he supposed had led to his appointment to the high place which he at present held. The noble Lord took a line of argument wholly at variance with that pursued by the present Lord Chancellor. There was an evident and great change in the reasoning of the noble Lord, and he attributed that change to the altered circumstances in which the noble Lord had spoken. The noble Lord had seceded from the Ministy of the Duke of Wellington on a question connected with Reform. It would be quite impossible for the noble Lord and those who acted with him at the time alluded to, to say that upon that question they retired as the friends of Mr. Canning. Separated from the existing

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* Hansard's Parl. Deb. vol. xvii. p. 3.

Government, and yielding to the feeling which naturally, under such circumstances, beset him, the noble Lord became an opponent of those with whom he had acted. Looking at the principles, known and avowed, of Mr. Canning, it was impossible to say, that, in finding fault with the late Government, in respect of its conduct concerning Portugal, the conduct of that statesman was taken as an example for guidance. As one of the friends of Mr. Canning, who had always maintained the principle of non-interference, it was impossible for the noble Lord wholly to disavow that principle. But about that time a new view was taken of the subject—a substantive and an adjective were united which had probably never been brought together before; and it was contended, that although we could not by any overt act interfere, we were bound, and that such had been the intention of Mr. Canning, to give to the party in opposition to the existing Government in Portugal a "moral support." That declaration was not justified by any thing which had fallen from Mr. Canning in that House, and was in direct contradiction to the line of argument which he had adopted on various occasions. It was contrary to the opinion which Mr. Canning, in 1821, when he was not hampered by office, expressed. At that time he treated with the utmost ridicule and sarcasm those who talked of "constructive" support; and laid it down as a principle, that the principle of non-interference, if adopted, must be entirely unqualified; that there must be no interference of any kind, unless we were ready to exert our whole power in the defence of that party we determined to support. The noble Lord, however, on the occasion to which he had alluded, argued for the enforcement against Don Miguel of the rights with which he maintained that Don Miguel had invested us by the mode in which he was governing Portugal. It was necessary to bear those facts in mind, because he believed they elucidated much of the subsequent opposition of the noble Lord (Palmerston) to Don Miguel. He had already observed, that for two years, things had been in abeyance, but two years after the Speech from the Throne, to which he had adverted, another Speech was delivered to Parliament. On the 4th February, 1830, the King's Speech informed the Parliament, that 'His Majesty has not yet deemed it 'expedient to re-establish upon their ancient footing his Majesty's diplomatic 'relations with the kingdom of Portugal; 'but the numerous embarrassments, arising from the continued interruption of 'these relations, increase his Majesty's 'desire to effect the termination of so 'serious an evil.'* It would be observed that that was the first even gentle hint from the Throne of a disposition to recognize Don Miguel. On that occasion the noble Lord opposite did not speak; but another noble Lord, now in the House of Peers, (Lord Goderich), declared that, in his opinion, the time must soon arrive, when it would be necessary for this country to acknowledge what was, *de facto*, the Government of Portugal; but at the same time expressed his earnest desire (an important circumstance to be remembered) that no such recognition should take place unless it were accompanied with an amnesty to all those persons in Portugal who were suffering from their adherence to the other side of the question. Very shortly, however, after the King's Speech of the 4th of February, 1830, the noble Viscount brought the affairs of Portugal before the House. In the speech which the noble Lord made, he differed from all the Statesmen who had preceded him, for he advocated the assertion of the rights of England against Miguel, even at the risk of war. He then came to the last Speech from the Throne during the Administration of the Duke of Wellington. On the 2nd of November, 1830, his Majesty said, 'I have 'not yet accredited my Ambassador to the 'Court of Lisbon, but the Portuguese Government having determined to perform a 'great act of justice and humanity, by the 'grant of a general amnesty, I think that 'the time may shortly arrive when the interests of my subjects will demand a renewal of those relations which have so 'long existed between the two countries.'† The language of that Speech was in exact conformity to the sentiments of the noble Lord (Goderich) he had already alluded to; and on that occasion the noble Earl now at the head of his Majesty's Government, expressed himself in a manner totally different from the opinion previously given by the noble Lord opposite. Earl Grey, referring to the recent acknowledgement by this country of the king of the French, advised the recognition of

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* Hansard's Parl. Debates, vol. xxii. p. 2.

† Ibid. vol. i. (Third Series) p. 9.

Don Miguel with the object of employing that recognition as a means of relieving the exiled liberals, and incarcerated patriots of Portugal; and dwelt on the advantages of that principle of non-interference which he recommended his Majesty's Government to observe, and which principle the noble Earl afterwards adopted himself. The fact was, that his Majesty's late Government did not make an amnesty the condition of recognition. But they could not recognise the government of Portugal while so many persons were suffering in a cause with which originally this country was so connected, however anxious they were to restore tranquillity to an ancient and close ally. It was generally taught that causes and effects were different and distinct; but in this case they were so much mixed up, that it was difficult to separate them. Support was, in this case, ruinous to those it was intended to assist. Such was the state of things: Lord Grey and Mr. Brougham had declared against interference, and the noble Viscount had loudly called for interference, when the late Government retired, and Lord Grey became Prime Minister; Mr. Brougham, Lord Chancellor; and the noble Viscount, Secretary for Foreign Affairs. Coming thus to the Foreign Office, the noble Lord was obliged to conform, in appearance, to the principles laid down as those of the Government. Such was the case; and he had no doubt the noble Lord intended to act in the spirit of those principles; but his charge against the noble Lord was this, that whatever might have been his intentions or his endeavours, they had been unsuccessful. He asserted that the noble Lord had by connivance with one party, and permitting an attack to be prepared in this country, and to proceed from our own shores, by leaving Portugal to the oppression of a foreign power, and by widening every cause of quarrel between that country and this, not only violated the principle of non-interference, but made it almost impossible that while the present government of Portugal existed, there should be any reconciliation between Portugal and England. The next reference to the state of Portugal was in connexion with some papers laid before Parliament, detaching the account of the means that had been adopted to obtain redress for depredations committed on our commerce. This was alluded to in the next Speech from the Throne, delivered on June 21, 1831, when his Majesty thus called the attention of Parliament to the affairs of Portugal:—'A series of injuries and insults, for which, 'notwithstanding repeated remonstrances, 'all reparation was withheld, compelled 'me at last to order a squadron of my 'fleet to appear before Lisbon, with a 'peremptory demand of satisfaction. A 'prompt compliance with that demand 'prevented the necessity of further measures, but I have to regret that I have 'not yet been enabled to re-establish my 'diplomatic relations with the Portuguese 'Government.'* The nature of these inquiries and the redress were already known to Parliament; and before he proceeded further, he must also observe, that, for these injuries, this country had demanded and received a full measure of redress. Upon a motion which he had submitted, the papers relating to those injuries had been laid before the House, and having perused them, he must say, he thought the injuries had been overrated, and that we had been rather too hard upon Portugal, especially in the case of the captain of the Diana. He must also observe, that all the claims made by this country were founded upon Treaties which gave to England peculiar advantages, which she could not claim under the general law of nations, and to which no other country was entitled. Those treaties had been in force for two centuries, but it should also be remembered, that if those treaties gave particular advantages to England, in some respects, they also imposed responsibilities upon her in others. By the advice of his Ministers his Majesty, in his Speech to Parliament, spoke of the redress which had been demanded and received from Portugal for injuries done to the subjects of Great Britain, but before that Speech was delivered, the French fleet had entered the Tagus, captured a number of Portuguese men-of-war, and carried them to a French port. In the King's Speech, no notice was taken of the abduction of the Portuguese fleet by the French. A noble friend of his, however, had put a question to the noble Lord upon the subject, and the noble Lord, replying with a degree of levity not at all common to him, had said, that the French being at open war, had captured and carried away the fleet of Don Miguel from Lisbon, and that it was not unusual, as

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* Hansard's Parl. Debates, vol. iv. p. 85.

England well knew, for ships of war to be carried off by the power which captured them. Hearing that answer, he had asked the noble Lord if it was such a war of aggression on the part of Portugal as that we were not bound to defend her? The noble Lord immediately challenged him to bring forward a motion upon the subject, and that was the accidental circumstance to which he had alluded, which had induced him to undertake a subject he well knew to be beyond his powers. In consequence of the conduct of the noble Lord, he had moved for the papers upon which the demands of this country were made, and upon which the conduct of France was justified. Those papers were extremely voluminous, and he would not weary the House by reading from them. But he must say this, that the defence set up appeared to him most unsatisfactory. In reply to some observations which he had made on our connivance in the attack made by France on Portugal, it was said, that as we had lately exacted redress from Portugal, for injuries done to British subjects, we could not interfere to prevent the French from doing the same. But that was an inconclusive argument. In the first place, we had treaties with Portugal which justified us in our demands; but those very treaties bound us to defend Portugal from an aggression which was contrary to the law of nations. If this country had wrongfully exacted recompense from Portugal, it would look bad indeed for its government to interfere with the similar proceedings on the part of France; but if that were not the case, this country was bound by those very treaties under which she claimed reparation to protect her ally from aggression. But even if the proceedings of France were justifiable, that would not affect his charge against the noble Lord, which was, that the case was decided without any attempt being made to learn what its real merits were. The noble Lord did not take the trouble to make any inquiries into the matter. The first intimation of the sailing of the French squadron was received here on the 12th of April, and, on the 4th of May, the Portuguese Government first applied for the exercise of the good offices of England, and, those failing, for the active assistance of England. He admitted, that on the 4th of May, this country could not have assisted Portugal, for the disputes between the two nations were then unsettled, but that was not the case on May 14th. At that date compensation had been given to Portugal, all disputes had been put an end to, and we were placed in the same situation towards our ancient ally as if no such disputes had taken place. Some of the treaties which did exist between England and Portugal were said to be abrogated by the non-recognition of Don Miguel, but no one pretended to say, that the treaties on which he relied were abrogated, or that Portugal was not entitled to assistance from this country if assailed by a foreign enemy. On May the 14th all disputes were settled, the treaty of protection on the one hand, and privilege on the other, came again into full operation, and the noble Lord had no right to bear in mind and act upon any remembrance he had of differences which had been settled. Well, then, under these circumstances, England was appealed to by Portugal for advice and assistance with respect to France, and the noble Lord at once advised Portugal to yield to the demands of France. That was the advice given, although no written answer was returned to the application of Portugal, and no explanation was asked from France until a month afterwards. Viewing the position in which the two countries and the relations in which both stood towards France, he would put it to the House to say, was that advice consistent with good faith and sincerity on the part of this country? Yet he would affirm, it was given without even the shadow of any attempt to examine into the justice of those demands. He did not state this without being prepared to shew that the assertion was abundantly well founded; for the noble Lord, on the 17th of June, wrote two letters, one to the Vice-Consul in Lisbon, and the other to the Chargé d'affaires in Paris, recommending Portugal to give way. The latter as well as the former was full of condemnation of the conduct of Portugal, and of excuses for that of France. A grosser instance of partiality was not to be found in, perhaps, the history of diplomacy or international treaties. One of the grievances of which the French government complained, was, the punishment of a French subject. That case to which his motion would more particularly refer, was one not without analogy; indeed, he might add, there was a close resemblance between it and a case which had occurred in the time of Mr. Canning, when Dr. Bowring was prosecuted by the former French government. Mr. Canning, on being applied to, replied, that if the law was administered in Dr. Bowring's case as it would have been towards a French subject, then he could not interfere. He went a little further, however, and orders were given to consult two eminent French lawyers as to whether the law had been so administered to Dr. Bowring. The answer was, that he had been treated exactly as a French subject. Mr. Canning said, he would, therefore, have nothing to do with Dr. Bowring. Mr. Hoppner, in his opinion, had paid but slight attention to the case of the Frenchman, Mons. Bonhomme, against whom the evidence was very strong, who had been punished by the Portuguese government. That individual, who was a tutor in the university of Coimbra, at the head of his pupils, committed a gross beastly offence in one of the churches, and a prosecution was instituted, not by the government, but by the university of Coimbra, and a punishment inflicted slighter than would have been inflicted on a native. Had proper inquiry been made, little doubt could be entertained that the facts would have assumed a different appearance. But even if the noble Lord should at that moment have a statement in his pocket which would prove that his (Mr. Courtenay's) information was incorrect, that would be no answer to his charge, which was, that the noble Lord had prejudged the conduct of Portugal from the beginning, and had advised Portugal to submit to the demands of France, without taking the trouble to inquire into the facts of the dispute. Great credit had been taken for the alacrity with which the advice had been given, but he complained that the advice was too quickly given. And what were the consequences of that advice? France seized all the shipping she could, and, having fully indemnified herself for her alleged losses, and inflicted punishment for the alleged insult, it might have been supposed she would have been satisfied. No such thing; a stronger squadron was sent to the mouth of the Tagus. The Portuguese government appeared to yield, but the concession was not ample enough to satisfy the French admiral, and he advanced fresh pretensions. Portugal refused to comply, and the French squadron forced the bar of the Tagus, and on proceeding up the river, a few shots were fired, but not one man was killed, and hardly any wounded; yet the French admiral, taking advantage of these few shots, seized the whole of the Portuguese fleet, and the French government still keeps possession of it. The French squadron continued some time in the Tagus, and it was said the admiral endeavoured to negociate a commercial treaty between the two countries. The hon. member for Worcester had put a question to the noble Lord, the Secretary for Foreign Affairs, on this subject, and had received for answer, that he possessed no information relating to such a project, nor did he believe it existed. But there were strong reasons for believing that such a treaty was thought of, although the return of Don Pedro to Europe about this time prevented its completion: a new light broke upon the French government. The lame led the blind into new projects: and France determined to effect her objects through the agency of Don Pedro, rather than by means of Don Miguel. A new system of intrigues was then commenced, which was still in progress, and to which he was much afraid the King's Government was more a party than it ought to be. In illustration of the extraordinary policy pursued by this country towards Portugal, he would call the attention of the House to a remarkable passage in the Speech delivered from the Throne at the opening of the present Session of Parliament. It was in that Speech that the first mention was made of the present state of our relations to Portugal, and that mention had been made in a manner, he conceived, extremely unadvisable. It indeed gave an entirely new view of those relations. His Majesty had been made to speak thus:—'The conduct of the Portuguese government, and the repeated injuries to which my subjects have been exposed, have prevented a renewal of my diplomatic relations with that kingdom. The state of a country so long united with this by the ties of the most intimate alliance, must necessarily be to me an object of the deepest interest; and the return to Europe of the elder branch of the illustrious House of Braganza, and the dangers of a disputed succession, will require my most vigilant attention to events by which not only the safety of Portugal, but the general interests of Europe, may be effected.'* Now, he begged to ask, was it not strange that his Majesty's Ministers should cause his Majesty to tell his Parliament at one time, that complete reparation had been made by Portugal for all injuries committed on his subjects, and to say, notwithstanding, that he could not renew his diplomatic relations with that country. Again, it was stated in the Speech, that repeated injuries had been committed by the Portuguese; but would it not have been fair to have stated what those injuries were? But there were other matters mentioned in that Speech which, he conceived, demanded peculiar attention and consideration. In the first place, it announced the return of Don Pedro to Europe. He could not say, that this announcement required peculiar attention, for, in point of fact, it might quite as well have been altogether omitted, but it would appear that his Majesty's Ministers had only just found out that the sallow gentleman who had been for months driving about in a Critchta, was the retired emperor of Brazil. He had, in fact, returned so long ago as June last, before the time when his Majesty opened the Parliament in that month. But the Speech announced the return, and immediately after proceeded to speak of the danger of a disputed succession to the Throne of Portugal. This was, in his opinion, a disingenuous method of connecting these two facts, for this juxtaposition naturally led to the inference, that this return of the elder branch of the House of Braganza was connected with the question of succession. But the fact was, that Don Pedro had come from the Brazils to Europe solely because he could not maintain his government there. This, however, was not the point to which he desired to call attention, and he would, therefore, not pursue it further. The Speech from the Throne expressed an apprehension of conflict for the succession to the crown of Portugal, and for the preservation of peace in Europe. When, he would ask, were such events communicated in a Speech from the Throne, without his Majesty stating either that he would rely upon the House of Commons for the assistance necessary to support the national honour, if it were one of those cases in which the national honour was concerned? otherwise, should not his Majesty have declared, that he would observe a strict neutrality? But there was no mention of observing any such neutrality, which, he thought, a most suspicious circumstance. It was well known, that a dispute, concerning the succession to the crown of Portugal, did exist. A king had been established in the government about four years, but his brother, who was formerly favoured by this country, and who reigned a short time back in certain of the foreign dominions of Portugal, had now, as the natural guardian of his daughter, claimed the throne, and appeared in Europe to attack the ancient territories of his house, and the government of his brother. Now, what ought the conduct of the British Government to be, under such a state of circumstances? He confessed, he felt much surprised at the manner in which Portugal had been mentioned, and he begged to tell the noble Lord, the Secretary for Foreign Affairs, that he gave him the exclusive credit of this mention, for he was sure that neither Lord Grey nor Lord Brougham could entertain any doubt—and if they did entertain a doubt, he begged to say, that he did not—that the policy of England towards Portugal, under such circumstances, was one of neutrality. True, England was bound by treaties to watch over the interests of that country, but none of those treaties would warrant interference in the present case. They could not justify Don Miguel in calling upon us for aid. He did not know whether Don Miguel had applied for such aid; but if he had, he must have received the same answer as was given by Lord Aberdeen, some two or three years back, to a somewhat similar application from the other party—namely, that it was a case to which the treaties did not apply. It might, however, be a case in which Don Miguel might expect that we should prevent our subjects enlisting in the armament fitting out against him. There were deeds as well as words which required explanation from his Majesty's Administration. The enlistments which had been made in England for the service of Don Pedro were notorious, and, he maintained, that they should have been prohibited, not only on the principle of non-interference, but in pursuance of the law of the country. It had been the law of the country for more than a century, that our subjects should not take part in the quarrels of foreign nations, and that law had been renewed and extended within the memory of all. The reigning authorities of Portugal demanded interference of the English Government for the prevention of this enlistment. But he was prepared to contend, that, on grounds of policy, independently of the law of the country, the Government of England should have forbidden any enlistment. It was impossible for the Ministry to say, that they were ignorant that this enlistment was carried on, and that to a very great degree. In fact, it was notorious that it was carried on under the very windows of the noble Lord at the head of Foreign Affairs. But, even supposing the Ministers were ignorant of the fact, he was prepared to say, it was their duty to take measures for the performance and observance of the laws of the country, so long as they were laws. If they were not apprised of the actual fact of enlistment, some rumour, at least, must have reached them; and even on rumour, let it be ever so vague, they were bound to make inquiry. Under all the circumstances the Government had displayed a great degree of slackness. No proclamation had been issued; neither had British officers been informed that the Government disapproved, if it really did disapprove, of their enlistment in the service of Don Pedro. So much on the subject of enlistment. Then, with respect to the equipment of vessels, what was the reported conduct of Government? It was stated, that Government had actually released vessels which had been seized under the Foreign Enlistment Act. This he did not take upon himself to assert as true, but it was so reported. At all events, this fact had come under their notice, and it would be for them to explain on what principles their conduct in reference to it had been framed. He deemed it extremely advisable that Parliament should clearly understand what those principles were, and it was with such a view that he was about to propose some questions. It might, perhaps, be asked, is it advisable or not, that Don Pedro should succeed in his expedition? On this point he would only observe, that on the principle which his Majesty's Ministers professed to maintain, it was not to be considered whether the success of Don Pedro was desirable or not. They had come into office under a pledge of non-intervention. If they had in any way favoured that expedition, they had taken on themselves a vast degree of responsibility. Let them consider what evils must befall British residents in Portugal in the event of a civil war taking place at which this country had connived. If the Government did not interfere, no shadow of blame could be cast upon it. This, however, was a trifling consideration, compared with others which pressed themselves on the mind of any reflecting man. The noble Lord knew well that no serious attack could be made upon Portugal, and Spain look on with indifference. It was notorious that the Spanish government could not approve of any change in the order of things now existing in Portugal. Would the war then be confined to the Peninsula? Certainly not; for a general war would follow, and it would, in all probability, be that war between principles which Mr. Canning took so much and such successful pains to avert. Our object, with regard to Portugal, ought to be to preserve our influence and intimate alliance with that country; obtaining, if possible, relief for those who were suffering for their opposition to the present Government. Would the noble Lord say, that these objects could be accomplished by the success of the expedition at which he was suspected to connive? We might possibly re-establish our connexion with Portugal; but it was as little doubted that France would share with us in every thing we obtained from that country. If, then, none of the objects which we ought to have in view with regard to Portugal could be accomplished by the success of Don Pedro's expedition, why had the noble Lord permitted British subjects to enter into it? The noble Lord had, on former occasions, laid great stress on the maintenance of constitutional freedom in Portugal, and concluded one of his speeches, by regretting that our policy had ended in the destruction of that freedom. Great pains had been taken to represent that as Mr. Canning's grand object also; but although that statesman wished for the establishment of constitutional freedom everywhere, he, throughout his life, refused to take any active measures to enforce its establishment in any foreign country. Mr. Canning was not one of those politicians who considered the good of all countries before his own, and throughout his life he had a dread of such men. Hear how he described one of them.

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* Hansard's Parl. Debates, vol. ix. p. 3.

> Thro' the extended globe his feelings run
> As broad and general as th' unbounded sun;
> No narrow bigot he; his reason'd view,
> Thy interests, England, ranks with thine Peru;
> France at our doors, he sees no danger nigh,
> But heaves for Turkey's woes th' impartial sigh;

A steady patriot of the world alone,
The friend of every country but his own.

This was the character described by Mr. Canning in the early part of his career as one he most disliked. It was the sort of politician that was generated by the French revolution, advocating the description of policy to which he was in constant opposition. Upon all these grounds he felt himself justified in calling for some explanation as to the long suspension of our diplomatic intercourse with Portugal, the events which occurred in consequence of the appearance of the French fleet in the Tagus, and the conduct of the Government with respect to the disputed succession to the crown of Portugal. The noble Lord had formerly lamented the destruction of constitutional freedom in Portugal, the loss of English influence, and the danger of throwing that country into the hands of Spain, which had resulted from the course of policy that had been pursued by us. But would the noble Lord's conduct restore constitutional freedom to Portugal? No; for it was a remarkable fact, which had become public only within these twenty-four hours, though strongly suspected before, that although the person on the throne of Portugal might be changed, the alteration would not give constitutional freedom to that country, and he did not believe that the noble Lord would contend that a change, in which France was so material a party, could tend to restore English influence. If the noble Lord delivered Portugal from the hands of Spain, could the noble Lord derive consolation from its falling into the hands of France? The motion he was about to make would refer only to the matters he had touched upon in the last part of his speech; and unless the noble Lord could say, that it would be injurious to the public service to grant what he called for, he trusted that the noble Lord would agree to the motion. He begged leave to move, "That an humble address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House copies or extracts of information (if any) received by his Majesty's Government concerning the enlistment of men, or equipment of vessels, on an intended expedition against the present government of Portugal; and of any applications in relation thereto received by his Majesty's Government, on the part of the Portuguese government, and of the proceedings of his Majesty's Government thereupon."

Sir *James Mackintosh* declared that he had never heard a case so entirely barren of proof as that which had just been laid before the House, and he was the more free to say so, as the deficiency of proof was no fault of his right hon. friend; he had made the best of his case, and would, no doubt, have produced proof if he possessed any—he would not have failed to tender evidence had any been within his reach. One of the objects of his Motion was to ascertain, if possible, what were the proceedings adopted by Ministers for the frustration of the expedition fitting out against the government of Portugal, assuming that government had actually taken proceedings thereon, which proceedings could alone have been founded upon what was called the Foreign Enlistment Act. That was a measure which he had ever strenuously opposed, and he retained fully his abhorrence of it; but as long as it remained the law, it must be duly submitted to in common with every part of the law of the country; but that consideration would not lead him to agree with his right hon. friend, that the act was so liberal as that it could be stretched to the length of justifying the Government in adopting proceedings of its own mere motion against persons when no private prosecution—when no Foreign Minister had ever applied to it to enforce the law. There was no special obligation on the Minister to enforce that law more than any other statute—the obligation, if any, rather lay on the other side, as respected a statute of its vile and odious character. It was one of those laws which had never been acted on except at the instance of a foreign government or a private prosecution. The duty of a spontaneous enforcement of such a law was a doctrine perfectly new to him; and if any administration were to act upon it, such a proceeding could not fail to bring down upon it a load of odium and of obloquy; but yet upon doctrines and assumptions such as these—upon a vague rumour—a motion, such as that which the House had just heard, was to be founded. The whole case made out consisted solely of assertions—nothing like proof—not even a pledge to produce proofs. His right hon. friend had said, reports were notoriously spread abroad as to the fact of men being enlisted for the expedition of Don Pedro;

and something, showing the law had been broken, had been witnessed from the windows of the Foreign Ministers. It was on a statement like this that his right hon. friend wished the Motion to be acceded to, it was on such a statement that he brought forward a grave charge against the British Government. His right hon. friend had not given any pledge to the House on the subject as to the facts, but had merely alleged them on general and vague rumours. He seemed to be so conscious of the weakness of his case that, with a faintness of voice and a brevity of expression, he hurried over it as quickly as possible—feeling that the ice was giving way under his steps. This showed great ingenuity and ability on the part of his right hon. friend; but how did it act upon the House of Commons? With respect to Don Miguel, he (Sir James Mackintosh) would concede, that he possessed all the rights which a belligerent in the possession of a country under such circumstances could possess. And, as respected the treaties which existed between this country and Portugal, he was willing to admit that this country was bound to observe them. But could any man suppose that we were bound to support Portugal through any unjust war in which she might engage? No; on the contrary, the concurrent testimony of all jurists established the principle, that faith and justice were indissolubly bound together. Were it otherwise, it would be a league between robbers, and not a defensive treaty between nations. As to the course which France adopted, he confessed it did appear to him that she could not have acted otherwise. A French subject—let his crime be what it might—was treated in a manner unheard-of in civilized countries—he was whipped round the streets, and then banished to Angola, sentenced to ten years' confinement, and no doubt to hard labour. Was there any one acquainted with the climate of that place, who would hesitate to acknowledge the fearful combination of barbarities conveyed in that sentence? They were not contented with the ordinary punishment, but proceeded to inflict on the prisoner the severest in their power. Sending a man to a pestilential place of imprisonment was certainly a punishment of the severest kind. The other case was that of a poor old man, who was imprisoned, he knew not for what offence, but chiefly, he believed, because the old man was a Frenchman; for the crime of being either an Englishman or a Frenchman was apparently the most heinous that could be committed against the present government of Portugal. Souvinet, the man he referred to, was removed from an ordinary dungeon to a damp dungeon, that if he might not actually be put to death in the ordinary sense of the word, he might be compelled to suffer death in a very lingering form. Applications were made by the French government to the Portuguese government on the subject of these two persons. The papers that passed on this subject would show, on the part of the Portuguese government, a series of contrivances, evasions, and artful delays, to all the applications made on the part of the French. A dispatch on the 17th of June proved that the French Consul, on making an application on this subject, was insultingly told, that being only the Consul, and not a diplomatic Minister, they could not listen to him, and he was put off till the appearance of the French ships of war in the Tagus. Was that the conduct which was manifested towards France alone? No; it was precisely the same conduct that was observed with respect to England. Was any delay spared, or was there any hope held out that the complaints made would meet with attention, if they were forwarded by a less decisive negociator than the commander of a squadron of ships of war. None whatever. The government of Portugal was, as regarded its dignity or power, a caricature of the other despotisms of Europe, while, as regarded its offensiveness, it was by no means the most contemptible. An allusion had been made to the speech of Mr. Canning, that speech in which he forfeited the support of many persons who held certain opinions, but in which he declared that he had a remedy in his power, with which he could check the proudest despot in Europe. He believed that the right hon. Gentleman had spoken truly, and that the object of those who wished to preserve peace was to guard against that political fanaticism which, not measuring the changes of the times, might be likely, by its folly, to endanger the peace in the attempt to wound the liberties of Europe. The right hon. Gentleman acted as became him, and he preserved the peace of Europe. Let those who, with the same remedy in their power, acted with the same desire to save Europe from a war, have their conduct considered worthy of some commendation. They had heard that Don Pedro could now no longer interest the friends of liberty, because he did not promise to the Portuguese a restoration of the constitution he had formerly given them. If that were true, all that they had heard of the manufacture of constitutions by Don Pedro went for nothing, and there was no ground for alleging that support was given to Don Pedro because he went with revolutionary purpose to overthrow the old institutions of the country. He now came to the consideration, whether the war against Portugal was such as to call for our interference against France. Could any man be found who would say it was such a war? His right hon. friend, indeed, seemed to take it for granted that it was almost such a war, at least he appeared to imagine that it was a war begun without necessity, and with little show of justice. His right hon. friend supposed, that no inquiry had been made. How could such an opinion be held in the face of the despatches of our own agents in Portugal? The despatch to which he had already alluded, frankly stated, that the circumstances had been made known to this Government, and it stated, at the same time, the advice and opinion of the Government. That opinion was, that France had a reasonable ground of complaint; and if the Government believed that to be the fact, they were bound to inform the Portuguese government of their opinion. But then it was said there had been no great moderation in the conduct of France, and that we ought to have mediated. What was mediation, and when was it to be employed? We who had suffered the same evils as those of which France had complained—we, too, who had obtained reparation by the terrors of our ships of war in the Tagus—were we to mediate because a power that had suffered like us, had had recourse to the same means to obtain reparation? Was that a case in which men were to talk of mediation? What mediation could we offer further than that of giving our sincere advice?—and that advice we had given—and it was, that Portugal should grant reparation for the wrongs complained of. England was not in the face of all possible facts to suppose that France was the aggressor, when all had been compelled to admit that there were grounds of complaint—that application for redress had been made, and that that application had been refused. When he said refused, he did not mean refused to the French Consul, only but all reparation refused to every one—refused even at the eleventh hour. What was the answer, even at that hour, which was returned to the French squadron? It was this—"We have referred all these matters to our Allies." They did not tell who those Allies were—what they had communicated to their Allies—and what answer, if any, those Allies had made. Under such circumstances, whoever, by the refusal of a just reparation, occasioned a war, was the party responsible for all the evils of that war? Was it not trifling with this question to talk of mediation? He thought it was, and, therefore, without encroaching further on the time of the House, he should content himself with declaring his opposition to the Motion.

Lord *Eliot* could not help thinking that the Foreign Enlistment Bill, which the right hon. and learned Gentleman had introduced to their notice, had little to do with the question before the House, and all, therefore, that he should say upon it was, that as that Act was part of the law of the land, he was happy to hear the right hon. Gentleman say it ought to be obeyed. As he had heard the circumstances connected with the sailing of the expedition, they were these:—The Government had received notice of that expedition, but refused to take any steps, on the ground that the information was not properly authenticated. The persons who had given the information then applied to the Board of Customs, but it was in vain, for the Government interfered, and issued a sort of supersedeas which released the vessels detained. The object of this motion was not to pass a vote of censure on the Ministers, but to call for information on a point which had not yet been sufficiently explained. With respect to the cases of the two Frenchmen, about whom the right hon. and learned Gentleman had said so much, he must express his opinion, that, as to the first, a more gross, indecent, and blasphemous act than that person had been guilty of, he hardly knew, and in a country where religion had degenerated into superstition, it was not a matter of wonder that the severity of the sentence should be considerable. The man had been convicted of the offence before the regular tribunals, upon the testimony of fifteen witnesses. It was not, therefore, a question whether the sentence was severe or not, but whether it had been pronounced according to the law of the country. What did the French demand? Why, that the Judges who had pronounced the sentence should be superseded. It seemed to him a most gross infraction of national rights to demand that seven Judges should be superseded. It was only to be justified on the principle *sic voleo sic jubeo.* They demanded so many thousand frances for one case, and so many thousand for another; to all which Portugal said all that she could—that she was ready to refer the matter to her Allies. The Consul to whom the right hon. and learned Gentleman had referred, was not a person in the habit of treating with governments—he was nothing more than a commercial agent, and the consent of the Portuguese government to enter into communication with him was merely a matter of courtesy. The objection of the right hon. and learned Gentleman, as to the conduct of the Portuguese government, with reference to their treatment of the French consul, was, therefore, without foundation. He should not say much of the second case, that of M. Souvinet, because he was not well acquainted with the circumstances. He believed that M. Cassin had claimed that individual as a Frenchman, on the ground that he had been naturalized during the Constitutional Government in Portugal, and, therefore, that his naturalization was void. That, however, was not a sufficient reason; for private acts performed by the liberal Government had not been rendered void. He must say, that he thought the noble Lord and Mr. Hoppner (the Consul) had behaved more harshly than was necessary towards Don Miguel; but as their object had been to vindicate the honour of the British flag, an English House of Commons was not the place where a Minister was likely to be called to a severe account for having stretched a point on such a matter. There was, however, a manifest difference between the case of England and that of France. The flag of France had not been insulted—and whatever complaints France had to make on account of the treatment of those whom she claimed as her citizens, Don Miguel was ready to refer the matter to his allies, and abide by their decision. The right hon. and learned Gentleman well knew that the attempt to repel an invasion did not constitute an infraction of the peace on the part of the invaded country. There was a *de facto* war on the part of France, but it had not been preceded by these formal acts, by which such measures were legalized according to the custom of nations. The French admiral, after he had seized the Portuguese fleet, expressed his readiness to treat in the same terms as before; he entered the river, but notwithstanding that declaration the two sets of conditions offered were very different in character. He came now to the question as to the relative rights of Don Pedro and Don Miguel. He had devoted some attention to the history of Portugal and he believed he was justified in asserting, that, by the declaration of the Cortes of Llamego in 1143, confirmed by a resolution of the Cortes in 1648, no foreign king could be king of Portugal. Don Pedro, therefore, having the Crown of Brazil, was not entitled to enjoy at the same time the Crown of Portugal, and not being so entitled, could have no right to confer on another that which he did not possess himself. However, with that question England had nothing to do. The Portuguese, alone were the proper judges of the sovereign whom they would have to reign over them. Now, with respect to the policy of not recognising Don Miguel, he had only to say, that Don Miguel had been recognised by two Powers, exactly the reverse of each other in more respects than one—he meant by the Pope and the United States. He had often heard in that House the example of the United States held up as worthy of our imitation—he did not know but that it was so in the present instance. By their recognition of Don Miguel, they had obtained in their favour a relaxation of the Commercial Code of Portugal. At a time when our manufactures were languishing for want of a market, it seemed to him very impolitic that we should close the doors of communication against a nation that would otherwise consume a large portion of our manufactures. He thought his right hon. friend had made out a case for explanation, and he should therefore give the Motion his support.

Sir *J. Mackintosh*, in explanation, said that Souvinet had been naturalized by the Cortes; but the validity of their acts had been denied by Don Miguel, and the validity of similar instances of naturalization had been given up by the British Consul himself.

Colonel *Davies* said, with respect to the declaration of the Cortes of Llamego, to which the noble Lord had referred, that declaration was particularly directed against foreigners possessing the throne of Portugal. In no sense of the word, however, could Don Pedro be called a foreigner, and, therefore, that declaration could under no circumstances, be understood to apply to him. But the claims of Don Pedro were still stronger than the noble Lord seemed to suppose. John 6th had declared him to be invested with authority over the Brazils in his name and, as his representative; and, at the same time, John 6th had declared Don Pedro his heir and successor to the throne of Portugal. At the decease of John 6th he accordingly succeeded to all his father's authority, and a deputation of the first noblemen of Portugal crossed the sea to Brazil to present him with the homage of his Portuguese subjects. With respect to the Declaration of 1648, it was made when the Portuguese had established their independence, and when they were desirous of adopting every method of preserving that independence. With that view, they declared, that if the king should marry a foreigner, that act would incapacitate him from reigning, but if this law were to be insisted upon, what would become of the rights of Don Miguel, as well as those of Don Pedro? The mother of both was the sister of Ferdinand of Spain, and according to that law their father forfeited his title by his marriage. He had not expected to hear the recognition of Don Miguel recommended on account of the commercial advantages we should obtain. He was ready to admit that every care, consistent with the honour of the nation ought to be taken to extend the consumption of our manufactures by foreign countries; but were we to violate all the principles on which we had hitherto acted, and, for the sake of some doubtful commercial advantages, to recognize such a creature as Don Miguel? He thought not; but even if he were wrong in that opinion, it was doubtful whether, in a mere selfish point of view, there would be any advantage in it. The advantages that commerce bestowed could only be looked for from a free government, and our interest, therefore, must urge us to wish for the establishment of such a Government, for experience had taught us, that when groaning under such a despotism as now oppressed her, Portugal could be but a very inconsiderable consumer of our manufactures. The right hon. Gentleman who had brought forward this Motion had made a most curious distinction between France and England. He had said, that France was not entitled to reparation like England, because she was not connected by treaties with Portugal, as England was. Now, it seemed to him that this distinction could not be supported, for France though not connected with Portugal by treaties, was as much entitled as any other Power to reparation for a breach of national law. He thought France had great reason to complain, for, in the case of the Frenchman who had been so severely treated, though he would admit he had been guilty of a brutal sacrilege, yet he was confined longer than was justified by law, and was whipped through the public streets. This, however, was not sufficient, but, as if for the purpose of giving a marked insult to France, when her fleet was about to sail, a second whipping was inflicted—as much as to say, if you will have him, you shall have him well flayed, at all events. It was said, that there was no proof of this. How could that be asserted in the teeth of the despatches sent by our own Consul, Mr. Matthews, and by Mr. Mackenzie, neither of whom were very likely to invent accusations against Don Miguel, or even to give those already made an unfavourable colour? When Portugal was threatened with foreign invasion, British soldiers were sent thither by Mr. Canning to guard it from that invasion; but he regretted to say, that the measures of that right hon. Gentleman had been made the means of destroying the Constitution they were intended to preserve. What had been the conduct of Don Miguel? He had taken the oath of allegiance to Donna Maria 2nd, to whom he swore to deliver up the kingdom when she came of age; and he had likewise sworn to maintain the Constitution. These were the oaths of that prejured traitor. The British soldiers, who had been sent out to preserve the Constitution from foreign invasion, had been, he was sure, much to the disappointment of those gallant bands, the means of establishing the tyranny of Don Miguel; for they had received orders to resist any attempt against the person of Don Miguel, and in that way they had acted as his protectors when he was engaged in establishing his hateful tyranny. He called on the House not to concur with this motion

—the object of which was, to cast a slur upon the foreign policy of this country—a slur which the Ministry did not deserve, especially as to the supposed harshness towards Portugal. If reports were to be believed a Spanish army was now advancing towards the frontiers, and would probably be stationed upon them when Don Pedro arrived in Portugal. And if this was the case, what would be more likely to encourage the Spanish government in further attempts upon Portugal than knowing that we had abetted the party of Don Miguel. We were bound by treaty to defend that country from foreign aggression, but as long as the contest was domestic, we had no right to interfere, or assist one party to drive out foreign troops introduced by the other; but if we took the part of Don Miguel, his elder brother would clearly have reason to complain of us. He might properly call on us to assist him to clear the country of Spanish troops. He could only say, that he felt the most sincere wishes that the cause of liberal institutions might succeed, and that the tyrant might be hurled from his blood-stained throne.

Lord *Morpeth:* I must say, Sir, that my noble friend, the Secretary of State for Foreign Affairs, is the last man whom I should have expected to be attacked on this subject; and, above all, that the attack should be made by a member of the late Government. I am the more surprised at this attack, as it seems to me that the foreign policy of this country with respect to Portugal has been energetic, successful, and complete. It is the more surprising, too, that this charge should have been made by a member of the late Government, who has shown, on a recent occasion, that he at least among his late colleagues is open to considerations of candour and consistency. I have looked through the papers on this subject, and I must say, that I could not help observing the most marked difference in the conduct of the two successive Governments. The conduct of the one has displayed vigour and promptitude, while that of the other has exhibited only dilatoriness and vacillation. The resolutions of the one have been taken, and their demands enforced with consistency and perseverance; while the other, though they have assumed a high tone in the first instance, have lowered it afterwards, and it has become more and more attenuated, till their demands have been finally put off by the most shuffling evasions. I do not speak this without book—there are strong points of contrast between the two Governments. The right hon. Gentleman has thought proper to open the transactions for the last four years, and he must, therefore, take the consequences of his venture. I am now going to call the attention of the House to the case of Marcos Ascoli, which is, perhaps, the most remarkable in which the late Government was engaged with Portugal. On the imprisonment of this gentleman being notified to Lord Aberdeen, he wrote to Mr. Matthews to say, "I am to instruct you, therefore, upon the receipt of this despatch, to request an audience of Viscount de Santarem, at which, should Marcos Ascoli be still in confinement, you will demand his immediate liberation, as well as full compensation for the wrongs which he has endured;" and further on the noble Earl continues, "Should your representations remain for thirty days not complied with, you will then report to me, for the information of his Majesty's Government." On the 17th of November this demand on the part of the British Government was announced by Mr. Matthews to the Viscount de Santarem, and, consequently, upon the 18th of December, the thirty days appointed by Lord Aberdeen expired, to which, however, the noble Lord afterwards added three more, after having stated that "nothing can justify the cruel treatment which this person has received." But notwithstanding the representations made to the Portuguese government, I find Mr. Matthews writing word, on the 1st January, 1829, "It becomes incumbent on me to acquaint your Lordship that Marcos Ascoli remains in gaol at this hour." And on the 17th of the same month there is a letter from Mr. Matthews, stating, "I beg leave to enclose a copy of the sentence passed upon Marcos Ascoli on his appeal, confirming the former sentence of banishment, and condemning him to the additional costs." So that, after Ascoli had suffered four months' imprisonment, he finds himself in the situation of a ruined man, the whole of his commercial business paralyzed, and himself compelled to quit the country. This, then, is one of the specimens of Lord Aberdeen's interference for the protection of the British subject, and for the honour of England. But this is not the only case. Another striking one is, that of the British Vice-Consul of

Tavira, who, after being confined for eight months, without any charge whatever being brought against him, was at length liberated, though without any compensation whatever for the injustice practised towards him. In consequence of this treatment, Mr. Matthews felt himself bound to endeavour to instigate the British Government to take steps to prevent such injustice in future. So counselled Mr. Matthews; but not so acted the Earl of Aberdeen. And what was the consequence of this inactivity? The continuance of the same system, exemplified in the arrests of Mr. Noble, Mr. Fragoas, and Mrs. Story—the subsequent doubling of the duty on British merchandize—the seizure of British vessels at Terceira—the levy of fresh imposts on British subjects—the allowing the Ninus to rot in the Tagus, after it was determined that there was no pretence for capturing her—the plundering of the St. Helena by the Diana, and the gross insult her captain and crew were compelled to submit to. But now let us look at what has been doing since the present Government came into office. Mr. Hoppner, who, luckily for the interests of the country, succeeded Mr. Mackenzie, commenced his duties early in last year, and in March last he took occasion to state to my noble friend (Lord Palmerston) his conviction that nothing but coercive measures would produce any effect on the Portuguese government. But as I took an instance with respect to the former Government, I will do the same in this case. The details of the outrage committed on the house of Mr. Roberts were received by my noble friend on the 9th of April; and on the 15th, not adopting the example of the noble Earl's thirty and three days, my noble friend wrote thus to Mr. Hoppner: "You will clearly explain to M. de Santarem, that these demands admit of no modification or negotiation, and you will require a categorical answer, affirmative or negative, in ten days; and you will inform M. de Santarem what are the reprisals which the naval commander of his Majesty's ships off the Tagus, and off Oporto, is ordered to make in the event of a refusal, or should no answer be given within the above-mentioned time." And what was the result of this peremptory demand? That the propositions made to the Portuguese government were acceded to, and that, in a few days, the thanks of the British residents in Lisbon were received for the paternal protection which had been extended towards them. In short, the whole tenor of the two courses of proceedings adopted by the two different Governments of this country are not inaptly marked by those two great measures to which resort was had on either side. The present Government sent out the ships of the King at the call of his oppressed subjects, to secure their rights under the batteries of Lisbon; while the other Government only used the marine of England in one offensive operation—and that was in the waters of Terceira. Sir, I cannot revert to the part that this country took on that occasion, without feelings of the deepest regret. I cannot remember the way in which we put ourselves forward to check the honest ebullitions of Portuguese patriotism, without sensations of sorrow and concern; and ever must I lament that this country has, by that event, shown herself to Europe in the situation of one making an attack on the subjects of a queen—a minor, and our guest, in a place where they had a right to consider themselves perfectly safe. I believe that occurrence would not have been tolerated in the Ministry, if the House of Commons had not felt grateful to them for the Emancipation of the Catholics. I have not been able to gather from the speech of the right hon. Gentleman (Mr. Courtenay) what are his wishes, or in what course he desires to see the ships of Don Miguel sailing. But there is one point in which I fully agree with him—that is, a strict neutrality on our part. Hopes we cannot help having—hopes we must have; but it has already been rightly said, the quarrel is for the Portuguese, and for them alone. But when we are told that Don Miguel is popular with that nation—when it is said, that he is their choice and their favourite, I cannot help doubting i , and looking at such a statement as an enormous paradox, and a libel on the whole Portuguese people. But, at all events, let this be as it may, I trust that while the contest is yet pending, care will be taken that we shall not throw the weight of our favour into his scale, and that if he is to succeed, that success will be obtained by no other means than through the boasted sympathy of his fellow-countrymen. I feel, too, no little gratification that, on this occasion, the walls of the English House of Commons have not been profaned by any eulogium being pronounced upon his character. I am glad that we have not been told, that a man who, on a fair computation, has consigned 80,000 of his subjects to exile, to proscription, to the scaffold, to loathsome dungeons, and to pestilential climates—that he, who is the shameful usurper of his niece's throne, and the foul deserter of a brother's blood—that he, on whom the ties of kindred and the sacred obligations of oaths are as nothing—that he, over whom the proceedings of civilized nations, nay, the very decencies of civilised life have no influence or tenure—I say, Sir, I am glad that such a man as this has not this evening, at least, found individuals ready to defend him, on the score that he is an admirer of rustic games—a lover of country sports—a sort of harmless, inoffensive specimen of the every-day country gentleman. But what seems most to be grudged by certain hon. Gentlemen on the other side of the House is, that after our own honour has been vindicated, and after we have afforded to our subjects safety for their persons and their property, we have also suffered France to pursue the same course; that we have allowed the subjects of the Citizen King to procure that protection from the insults of the absolute and holy Miguel, which we have afforded to the English residents in that country. Sir, I think that in that we have done wisely. I think that the conduct pursued by the French government was borne out by the provocation received. What was that provocation? The Consul of the French was retained, and communications were entered into with him, until he became troublesome in his demands, and then he was dismissed. In consequence of what had taken place, application was made for redress. That redress was denied; and then the French government resorted to force to compel it. I must admit that I am of opinion that the French government went to the utmost point of the law of nations, but not beyond it. England, however, has no right to complain; for towards us France distinctly stated her wish of acting in concert and with deference; and this very fact, which has excited so much distrust and sarcasm in a certain party in this House, I hail as a fortunate and happy omen for the best interests of civilization, of liberty, and (above and beyond all) of the peace of Europe. Turning from this general view of the subject, to a more particular regard of what has been done by the present Government, I assert, that my noble friend's conduct has shown his determination not to suffer wrong done to British subjects to go unredressed, or the honour of the British name to be tarnished; and, from this example, I do not doubt that, in his general policy, he will exhibit that absence of petty distrust which will go further than any system we have seen practised of late, to secure the full and undisturbed development of our commercial resources, and to uphold and preserve the universal concord of the world.

Mr. *Cressett Pelham* begged leave to tell the noble Lord, that if the principles he had promulgated were to be carried to any length, they would be in direct violation of all the laws of nations. The right hon. and learned Gentleman (Sir James Mackintosh) had spoken on the subject of the enlistment in behalf of Don Pedro as if it were only matter of rumour; if it were so, he should be one of the first to advise the right hon. Gentleman who had brought forward this Motion, to withdraw it. But the fact of the enlistment was perfectly notorious. At all events, that was the real point before the House, and it seemed to have been nearly lost sight of in the course of the debate. The question was, not whether they were to run into invective against the individual who had been ruling Portugal for several years, neither were they called on to decide as to the claims of Don Pedro or Don Miguel; but the simple question for them was, whether they were not bound to uphold the laws. The statute-book declared that foreign enlistment was not to take place; and the charge against the present Ministry was, that they had shown too great a tendency to support one party against the other, and had therefore connived at the evasion of the law. He was of opinion that charge had been made good.

Mr. *Wrangham* observed, that the noble Lord, in his speech, travelled, not a little, out of the natural topics of the debate, and contrived, most completely, to turn that which was a motion for inquiry into the conduct of the present Government into an attack upon the last. With that Government he never had the honour of being, in any way, politically connected; but having held a confidential situation, which enabled him, pretty accurately, to judge of the motives of the noble Earl who then held the situation of foreign Secretary, he trusted that the House would allow him to say a few words on that subject. He was sure that he should not fulfil that noble Earl's wish, were he to enter into any panegyric on his conduct; but when he heard that noble Earl so vehemently and openly attacked by the noble Lord, and when a particular case had been pointed out for the purpose of building on it a sneer at the noble Earl's negligence and dilatoriness, he could not be altogether silent, more especially when he actually held in his hand a copy of the papers which had been laid before Parliament, and which most completely exculpated the noble Earl from the charge of indifference towards individuals, or of being deaf to the honour of the country. In the first place, he begged to say, that he was not the apologist of the actions of Don Miguel, or of his principles. He disavowed that altogether, though he might remark that it was not his intention to rival the noble Lord in that cheap valour which attacked where there was no resistance to be apprehended; on the contrary, he had always been of opinion, that the conduct of foreign potentates was not matter of discussion for the British House of Commons. If they set themselves up as censors of royal frailties, or of royal crimes, they would but ill discharge their duties towards the country they represented. The principal case on which the noble Lord had founded his attack on the noble Earl, was that of Marcos Ascoli; but the noble Lord had by no means given a statement of the whole of that case. The noble Lord made prominent some parts, and altogether shrouded others from view, so as to make the matter suit his own taste for the picturesque. In the first place, the noble Lord quite forgot to tell the House that, on the 1st of October, a letter was written by Lord Dunglas to Mr. Matthews, telling him, that if, on receipt of it, Ascoli was already liberated from prison, he was to require, in the name of the Government, ample compensation, and to inform M. de Santarem that the Government would not permit a British subject to be injured with impunity; and that, in the event of that compensation not being rendered, orders would be given to exact it by force. Finding, however, that this remonstrance did not produce the desired effect, it was followed, on the 5th of November, by a despatch, signed by Lord Aberdeen himself—a despatch which the noble Lord had most unjustly garbled, by giving only the half of a sentence to the House, and leaving out the other half, which, by some singular coincidence, was exactly the method in which the case had been published to the world in the pages of one of the public reviews of this country. He, however, must take leave to conclude that sentence which the noble Lord only began. The passage in the document really ran thus:—

> "Should your representations remain for thirty days not complied with, you will then report to me, for the information of his Majesty's Government; and you will, at the same time, communicate to the British merchants and others, his Majesty's subjects at Lisbon, that you have done so, in order that they may be prepared for those measures to which his Majesty will be compelled forthwith to have recourse, for the purpose of obtaining that reparation which he will have vainly expected from the Portuguese government."

The noble Lord thought proper to stop at the words "Majesty's Government," though he trusted the House would mark the continuation of the paragraph, in spite of the attempt of the noble Lord and the reviewers to suppress it—a union of intention at which he was somewhat surprised, for though he could well understand it might suit the reviewers to purchase a sneer at that price, he hardly thought the noble Lord would insinuate that Lord Aberdeen had intimated no intention of ulterior measures. But this was not the only paragraph that justified the conduct of that noble Earl; for again, on the 15th of November, his Lordship wrote to Mr. Matthews:—

> "In order to remove any doubts which you may entertain respecting the precise object of his Majesty's Government, I have now to instruct you to inform M. de Santarem, that they require that the mark of displeasure with which the intendant of Police shall be visited by the government of Portugal for his unwarrantable conduct on the occasion in question, shall be conveyed to that officer in so public a manner, as unequivocably to manifest the sentiments of the government."

After this remonstrance, redress, he admitted, was given, though there was considerable delay. He was, however, sure that the present noble Secretary for Foreign Affairs would not from that delay conclude that insufficient exertions were made to obtain it. Shortly before redress was granted, a strong mode of compelling it was on the point of being had recourse to; but the redress being given, compulsion was, of course, unnecessary, which the House would surely not regret. With respect to the conduct of France to Portugal, that, according to the terms of the Motion, they were not called upon to discuss. It had been observed by an hon. Member, that Don Miguel had made use of the expression with respect to M. Bonhomme, " that if the French got him, they should not have him till his back was well flayed." That phrase was set in one of the despatches, but he doubted whether it was wise to lay such a sentence on the Table of the House, placing among serious documents, a statement that was only the gossip of the moment. He begged to ask, in conclusion, how it happened that the naval officer in command of the ex-emperor's expedition, called Admiral Sartorius, still held a commission in his Majesty's service, and that having acquired professional experience in the Tagus, under the British flag, he was now allowed to use that knowledge for the expulsion of the present ruler of Portugal?

Mr. *Galley Knight* greatly respected the hon. Gentleman who had just sat down for the feelings by which he was actuated; but the hon. Member had totally failed to establish his case. If any man examined the correspondence to which allusion had been made, he must come to the opinion that the insults and injuries which we had experienced at the hands of the Portuguese government demanded an earlier and more rigorous interference. In that correspondence he would see an uninterrupted series of outrages on the one side, and complaints on the other—outrages which at length induced the late Secretary of State for Foreign Affairs to use language which became a British Minister;—but what did that language produce? Why, the Portuguese government laughed at words which, it was convinced would not be followed by anything more energetic; and the wrongs of preceding years were only redressed in 1831. When the amount of the injuries that correspondence contained was considered—when the number of British subjects unjustly detained in loathsome and unhealthy dungeons—banished from the country——struck by stipendiary ruffians—when it was recollected that British officers were beaten to the earth without any provocation—British residents tried for imaginary opinions, and condemned by a mockery of justice—that our vessels were seized at sea, and condemned as good prizes at Lisbon—that fresh duties were imposed on our goods, in contempt of the faith of treaties—that the merchants of the British factory domiciliated in that friendly land, protected by so many privileges, were in danger of ruin, and in apprehension of their lives—it must be conceded, that redress had been too long delayed, and injury too long suffered. What was become of our peculiar advantages? where was the British Judge Conservator? where was the kindness of our ancient ally? and where were the thunders of England? Was our trident shrunk into a pen, and was the hand that once wielded it now only able to write? And, during the time all this was going on, were we not prostrating ourselves before the usurper, who had broken his faith with our King; acquiescing in all his idle blockade, sending our ships, sending British officers to do his work, and vainly requesting him to accept our recognition as the price of an amnesty for a few of his own most distinguished subjects. This might possibly all proceed from a respect for well-regulated governments, and the claims of an ancient ally, but it left the wrongs of Englishmen uncompensated, and excited something more than the surprise of Europe. This was the character of the first half of the correspondence; and now for the other half. Here feebleness was turned into strength—here England was herself again: the first series exhibited wrongs inflicted; the second exhibited wrongs redressed; the first indited a few high-sounding words, the second anchored our frigates in the port of Lisbon; the first contained the grievances of British merchants, the second contained their vote of thanks for effectual interference in their behalf. It was painful, undoubtedly, to be compelled to resort to such extremities with a government with which we were at peace, but the case absolutely demanded them, and they did honour the Minister who enforced them. It was imputed to Ministers as a fault, that when similar insults offered to France provoked a severe retaliation on her part, we did not take up Don Miguel's quarrel, and rush into a war with France to save the Portuguese government from a chastisement which it had brought upon itself. It was absurd to liken this merited chastisement to the attempt of a foreign power to invade and subjugate the territory of an ancient ally. The quarrel was with

Don Miguel alone. No harm was meant, or offered, to the Portuguese nation—except such a share of the penalty as any country must expect that endured a Don Miguel for its ruler. The correspondence on the Table was a proof that Ministers did all that good faith required to prevent the Portuguese nation from suffering by the punishment inflicted on the government. To have gone to war with France, for the sake of Don Miguel and Serjeant Verissimo, would have been madness; but it was worthy the character of England, and due to our relations with Portugal, to make France aware that we should not permit a foreigner to take a further advantage of opportunity than the reparation of injuries required. It had afforded him great satisfaction to find, that not a man in that House seemed to desire that England should in any way interfere in the pending family quarrel—it was a case which confessedly did not come within the scope of our obligations, and for the welfare of Portugal we had nothing to fear: Don Miguel alone was in danger—Portugal was in hope. Who were the men that were terrified? bigots who blasphemed their Saviour by preaching up murder in his name—the champions of ignorance—the tools of tyranny—the advocates of mental prostration; these were the men who trembled, and, if these were alarmed, was it necessary for us to fear for the welfare of Portugal? His hope was, that we should not interfere. By interference we had done Portugal harm enough already—it had given rise to conclusions and expectations which were not fulfilled. Patriotic men declared themselves only to become the victims of tyranny, and the name of England had been mingled with that of Don Miguel in the complaints of the captive, and in the last thoughts of those who had expiated their love for their country on the scaffold. Our ships escorted him—our troops received him—from us did Portugal accept that cargo of treachery and cruelty—that standard which before had only been unfurled in glory both by sea and by land—that standard floated over the head of a perfidious usurper, and assisted the triumph of a tyrant. We had surely done enough!

Sir *John Milley Doyle:* I should very much like to put a question to hon. Gentlemen on both sides of the House—it is this. Do they wish to be informed of the real state of Portugal, or do they not? I am sure that the right hon. Gentleman, at all events, if I may judge from his Motion, must be particularly anxious to get at something like real information; and I will, therefore, take the liberty of proposing a method to him, by which he will be able to come at the truth. An hon. Member has endeavoured to convince the House, that, during the late Government, the most energetic language was used, and the most categorical answers demanded. Now, as there is nothing like a practical illustration in these cases, I will just give the House an instance, which, I have no doubt, will be quite to the taste of the hon. Gentleman. A foreign captain (there being at that time no person to represent this country in Portugal) was intrusted with a categorical question, to which he was to demand a categorical answer in twenty-four hours. The Usurper, however, asked for another twenty-four hours; to which the captain consented, stating, that if, by that time, the answer was not given, no further time could be allowed; and that as the Don was so highly religious a character, he might expect to have *cannon* law carried into full effect against him. However, at length the answer came. And what was it? A plump refusal to the demand of England. The little petty tyrant of Portugal coolly sending word that he would not comply with the just request of Great Britain. Then, of course, after this the House would expect that promptitude was the order of the day. No such thing; for all that the captain was required to do was, to travel back to England, and tell his story to the noble Earl, who, according to the testimony of some hon. Gentlemen, was so vigorously resolute in his determination. And now let me say a word on the case of Marcos Ascoli. That Gentleman went out of Lisbon with a regular passport, and acted in all respects in obedience to the laws of Portugal; and yet, notwithstanding such was his conduct, he was taken out of the vessel in which he had embarked, and placed in confinement; not such confinement as a man would undergo in a common gaol in this country, but in a solitary dungeon, forty or fifty feet under ground, and with nothing to comfort him but the rats and the mice; he was not even allowed to consult with his professional advisers, nor to have any of the consolations of his holy religion. Thus, then, it was, that England was insulted, and that for thirty three days this individual was exposed to the rigours and misery of a solitary dungeon; and even after that was put an end to, he was still imprisoned for a further period of three or four months; after which he came to England. But then it was urged, on the other hand, that the Government of this country insisted on ample redress. Oh, no doubt! And what was that redress in return for all the sufferings he had undergone, and for his being so far ruined as to be obliged, when in London, to seek assistance from his friends (of which I was one, though God knows that I had not much to give him, for I had been robbed under the same nefarious system)? What, for all this, was the redress that he received from the mighty Don Miguel? Would the House of Commons believe it?—Fifty-six pounds! which plainly showed that an Englishman was valued very highly by his native government, when so much as 56*l.* were obtained as the price of his redress for the abominable treatment he had suffered. Now, I have heard it said, that those who support Don Miguel are the great friends of England. But this I deny *in toto*, for they are the decided enemies of every thing British and liberal; while, on the contrary, all those who were ranged against the Usurper are the staunch and true supporters of Great Britain; and I am bound to say, that if Don Pedro were established in Portugal, every thing would be done that England desired; and I can assert this the more confidently, because I have heard it from the mouth of Don Pedro himself. I know that it has been said, that if the Duke of Braganza were to succeed, he would abolish the charter in Portugal. But I presume that those Gentlemen who argue thus, cannot have read the manifesto of that illustrious individual. I beg to say, that he there states what he goes as, and how he goes; and, therefore—however much it may be insisted that it is for himself, and not for his daughter, that he is acting—I say, that that point is altogether disposed of by his own sign manual, which is affixed to that manifesto. The consonance of opinion that has existed between France and England, with respect to Portugal, seems to have given amazing dissatisfaction to a certain party; but I think that the best way for liberal governments to be supported is, for them to support one another; and I hope that this matter may, before long, be made the subject of a manifesto on the part of France and England, which, had it been done in the case of Poland, as it ought, might have saved the noble Lord (Palmerston) from now having to wait for the ratification of the question between Belgium and Holland. If, however, hon. Members are so anxious to know the truth, I will suggest to them the propriety of appointing a Committee to investigate the subject, and I pledge myself to prove, that our system of interference was persevered in from January, 1825, up to the moment when Don Miguel ascended the throne. During that whole period, the ambassadors and agents from this country were continually at work superintending all departments of the government. They especially took charge of the treasury and police, and to such an extent was their interference carried, that they were even consulted as to who were the most proper persons to be elected as deputies. It was a curious fact, but no less true than curious, that at the same time that the late Ministers were sending remonstrances, and saying what they would do if these remonstrances were not attended to, and telling Don Miguel that he was a very bad boy, letters of a very contrary tendency were handed about in Lisbon from persons of high rank in this country. These letters were seen by an individual who was in the House, and who pronounced them to be the best executed forgeries he had ever seen. A right hon. Gentleman, stated in the Foreign Office, that if the noble individual in whose name those letters were written, had not asserted that they were forgeries, he should have believed them to be genuine. At the time when the fleet of Don Miguel was going to attack Madeira, the major general, addressing the officers, in hearing of an officer of this Government, and calling to them to take possession of the island for the prince whom they adored, assured them that the British Government were determined to support Don Miguel. I therefore hope, that, after this statement, the House will consent to an inquiry, in which case, I pledge myself to bring persons to substantiate upon oath the statements I have made.

Colonel *Evans* deprecated the manner in which the hon. member for Sudbury (Mr. Wrangham) had mentioned the name of a British officer (Captain Sartorius) as connected with Don Pedro's expedition. He could not think that officer's conduct was open to the animadversions which had been made on it.

Sir *George Murray* had no recollections more gratifying than those associated with his humble services in Portugal; and if there was one that gratified him more peculiarly than another, it was when he called to mind the noble exertions of the Portuguese people, who had endeavoured, by their own unaided energies, to shake off the yoke of French oppression. For that noble people he entertained a high respect, for they had vindicated the independence of their soil even before they had been assisted by British arms—before they had the hope of succour, and while they were trampled on in the most cruel manner by the invader. He was a witness of the cordiality of the reception they had extended to their allies, which more closely resembled the greeting of brothers than of strangers; and he could also bear testimony to the alacrity with which they ranged themselves under the command of British officers, and under the control of that man, who was entitled to the highest reward that gratitude could offer, not only from Portugal, but from the whole of the Peninsula. It was impossible for him not to feel a warm interest in every question affecting the Portuguese, not merely on accoumt of the first burst of enthusiasm which he had witnessed, but for the disinterestedness with which they abandoned all the property they possessed, and retired, with the English troops within the lines of Lisbon, rather than yield submission to an insolent conqueror. When he reflected on these events, it was not without a sentiment of the deepest regret that he saw a line of policy pursued which tended to estrange us from Portugal. He could not, without experiencing the deepest regret, see the Portuguese people abandoned to the insults and oppression of French domination. It had been most mortifying to him to learn, that a hostile French fleet had entered the Tagus, and, notwithstanding what had been said with respect to the provocation, he was of opinion, that it had entered without any cause to warrant the aggression. The pretext for its appearance there was to avenge the wrongs of an individual who had insulted popular feeling, by a most disgusting and sacrilegious act. He was astonished when he recollected the levity with which his right hon. friend (Sir J. Mackintosh) had spoken of that act; and he would ask his right hon. friend, what would be the feeling of the inhabitants of their common country, if such an outrage to a place of worship had been committed among them. They would not then have heard of the severity of the laws that punished the offender, but rather of their lenity, as compared to the terrible measure of justice that the populace would be impatient to administer with their own hands. He was not going to defend the character of Don Miguel, nor did he know any Gentleman in that House who would undertake his defence; nor was he going to discuss the character of Don Pedro; but he was surprised to hear the noble Lord, the member for Yorkshire, draw a contrast between Lord Aberdeen and his noble friend opposite (Lord Palmerston), who was, he granted, perfectly correct in proceeding as he had done, after Lord Aberdeen had cleared the way, but it should be remembered that the way had been cleared by first using those expostulations which became us in dealing with a friendly power. It would have been impossible for his noble friend to have proceeded at once to compel redress, had those expostulations not been previously addressed to the court of Lisbon. He should never wish this country to imitate the arrogance of the French. Would Gentlemen desire us to imitate the conduct of Louis 14th towards the Doge of Venice, who insisted upon his coming to Versailles, although he knew such a proceeding was contrary to the Constitution of the Republic of which he was the temporary chief. The course which Great Britain ought to pursue in all such cases was not a course of arrogance, but a course of moderation; and she ought not to talk of using force till the crisis for using it had actually arrived. From much of that night's debate, it might be supposed that the object of the discussion was to inquire into the character of Don Miguel, and into the laws and institutions of Portugal; but such was not the object of the discussion; it was for the production of papers connected with transactions which had occurred in England, and the discussion itself was commenced for the purpose of bringing under the notice of Parliament certain notorious violations of the Foreign Enlistment Act. How had his right hon. friend, on the opposite side of the House, answered the charge which his right hon. friend near him had brought against the

Government? By a long tirade against the Foreign Enlistment Bill. Now he (Sir George Murray) was not going to defend the policy of that bill: professionally speaking, he should rather wish for a free trade in arms. That, however, was not the question. The question was, had the provisions of that bill been violated, or had they not? It had been said by Gentlemen on the other side of the House, that we were bound to observe, and that we had observed, a strict neutrality. Now, if we had permitted the provisions of this law to be violated for the benefit of one of the parties now contending for the throne of Portugal, it was, in his humble opinion, a clear departure from a strict neutrality. He must, however, conclude by declaring, that the Motion of his right hon. friend had nothing to do with the topics introduced in the speech of his hon. and gallant friend near him (Sir J. M. Doyle), nor, indeed, with any of the other topics which had been introduced, irregularly enough, into this debate.

Sir *James Mackintosh* begged to be allowed to assert, in answer to the remark made by his right hon. friend, that he had not spoken with levity of the offence attributed to the Frenchman, Bonhomme. On the contrary, he had stated, that if the charge was proved, the offence was of a most aggravated description.

Sir *Robert Inglis* said, his right hon. friend, in his last address to the House, had stated, that he did not mean to palliate the offence of which Bonhomme was convicted. He would, however, state, with regard to that indecency, without entering at all into the nature of it, that he was found guilty of it, and punished according to the laws of the country. It surely could not be said, that there were no authorities to show what ought to be the conduct of that House when a foreign power applied to this country to interfere in her administration of justice. His right hon. friend would at once recollect, that he adverted to a case which occurred many years ago. He would ask his right hon. friend, when the Emperor Napoleon presumed to interfere in the administration of justice in this country, what were his views, and what were his wishes? What would be said if the American Consul were to apply to the Government of this country to stop the course of justice in respect to an American subject? With regard to Bonhomme, he had heard with the greatest satisfaction, that such a punishment was inflicted upon so great a miscreant. His right hon. friend, who had characterized the laws of this country as the most bloody laws in Europe, ought to be the last man to attack the Government of a country for punishing what would be an indecency if committed in any place of public resort; but when perpetrated in a Church, was not only indecency, but sacrilege. If, therefore, we ourselves should not tolerate such an interference as that of the American or Prussian Consul applying to the noble Lord, the Secretary of State for Foreign Affairs, to stop the course of justice against any subject of those States, how could we call upon this country to sympathise with this miscreant of French birth, because, subject as he was temporally to the laws of Portugal, he was punished by them? With regard to the observations which had been made relative to the punishment, it was not for that House to describe the colonies eight degrees south of the line as pestilential. Sierra Leone had been an object of some interest, and it was not fit to call it or Angola places to which no human being should be consigned. On the general subject he would call to the recollection of his right hon. friend, that, taking into consideration his high character, and the independence of the country from which he came, this House would receive with much more pleasure an attempt from him to advocate the cause of Torrijos, than it would receive an unintentional endeavour to palliate such a crime as that of Bonhomme.

Lord *Ebrington* said, that although he had read all the papers which were published upon this subject, he yet had no expectation that a discussion like the present would have taken place to-night. He had, however, to thank his noble friend for the prudence, the firmness, and discretion which he had evinced in that branch of our foreign policy which related to Portugal. He had a very high respect for the honour and gallantry of the right hon. and gallant Gentleman (Sir George Murray), but, notwithstanding the statements which he had made, he must take the evidence deducible from the papers before the House in preference to them. The charge made against the Earl of Aberdeen was, not that he did not demand redress for injuries committed against British subjects, but that he did not follow up his remonstrances by positive acts in proper season. He thought that the Earl of Aberdeen and the Government of which he was a member were chargeable with more than neglect, and the more so when the House must recollect the language used by the Earl of Aberdeen, in his place in Parliament, against the conduct of Don Miguel. He congratulated the country on the change which had taken place in the direction of our foreign policy, and he hoped an early opportunity would be afforded to the House, not merely of signifving their approbation of his noble friend's conduct as to Portugal, but likewise of putting his general conduct as to foreign policy to a more clear and decisive vote.

Viscount *Palmerston* said, that if he had not presented himself at an earlier period of the debate to the notice of the House, it had been because he was desirous, and also because he felt it to be his duty, to hear all the objections which hon. Gentlemen might be inclined to urge against the policy which his Majesty's Government had pursued towards Portugal. Undoubtedly he could not but say, that it had been a great satisfaction to him to have so waited, because the manner in which the subject had been dealt with by Gentlemen on both sides of the House, left very little for him to say in reply to the motion of his right hon. friend. He should not accept the invitation of his right hon. friend to enter into a discussion of the circumstances which now, some four years ago, induced him to separate from the Government of the day. Those circumstances had been sufficiently explained at the time, and had, moreover, no bearing on the merits of the present Motion. His right hon. friend had given him credit for consistency of opinion, and had told the House very truly, that the question on which he had separated from the Government of that day, was a question of Reform. His right hon. friend had also complained that he had only been too consistent in the policy which he had since pursued towards the kingdom of Portugal. The first point to which his right hon. friend had drawn the attention of the House, was one on which he now felt that it was quite unnecessary for him to make any defence. It related to the conduct of his Majesty's Government, in enforcing the claims of British subjects to redress, from the Government of Portugal. His right hon. friend had admitted that the Government of England was entitled to demand from the government of Portugal that satisfaction which, after numerous attempts at evasion, it had at length obtained in the course of May last; but had said, that we pressed too harshly on the government of Portugal when we insisted on the public and ignominious dismissal of the captain of the Diana, for the illegal detention of our vessels. Now, if the charge were true that we had demanded of the Portuguese government more than in justice we were entitled to demand, his answer on the part of the present Administration would be most easy, they had only followed up the demands made originally by their predecessors in office; and they had done no more than carry into execution that which had been threatened, but only threatened by the Administration to which they had succeeded. Indeed, the sole defence which had that night been made for the seeming apathy of the late Administration, under all the insults to which British interests were exposed in Portugal, rested upon the assertion that had threatened the Portuguese government with those very proceedings which the present Administration had felt itself compelled to take in defence of the honour and interests of the country. He frankly admitted that the late Government had acted rightly in threatening those proceedings. He was fully convinced that no man could have read the papers now upon their Table, without feeling that never was there an instance in the history of civilized Europe, in which one government had so conducted itself towards another, as the government of Portugal has conducted itself towards the Government of this country from the year 1828 almost to the present time. Those papers contained a series of cases full of the grossest insult and oppression. There was the case of an hon. and gallant Member of that House who had just spoken, and who had defended Portugal in her hour of need at the point of his sword, (Sir J. M. Doyle.) There was the case of Mr. Young, another British officer, who had bled in the service of Portugal; there was the case of Mr. Cobham, of Mr. Rospigliosi, of Mr. Noble, of Mr. O'Brien, of Mr. Macrohson, of Fragoas, of Mrs. Storey and worse than all, there was the case of Marcus Ascoli. There was also the case of the Maltese sailors, who, be it recollected, were now subjects of Great Britain. Besides all these cases of insult and oppression, there was the capture of the Ninus, of the St. Helena packet, and other vessels. In all these cases, what were the distinguishing features? Violations of the laws of Portugal, and infractions of the treaties in force between the two countries—arrest upon suspicion—imprisonments without charge at the commencement, continued without trial to their close—release and reparation refused—threats, unattended with any results, except fresh insults—and threats, moreover, not duly enforced by the British Government, until the present Administration came into power. As far as the British Government was concerned, never was there, in the whole history of nations, an instance of so much forbearance under the combined operation of injury and insult; and if the British Government was to blame for any thing, it was not for having acted with too much rigour, but from having displayed too great an abstinence from enforcing its claims to satisfaction and redress for such repeated injuries. That, indeed, seemed to be admitted; but then it was said by Gentlemen on the other side of the House, "You ought to have defended Portugal from the arrogant and overbearing demands of France." By some singular accident, the demands of France had been referred to, during the whole of this debate, as if they were grounded upon the solitary case of Bonhomme. That, however, was not the case, but supposing it were, it would be worth while to consider whether the facts even of Bonhomme's case, had been fairly stated to the House. He thought that they had not been fairly stated; and he would shortly explain why. In the first place, Bonhomme was not, as had been asserted, a tutor of youth: he was himself, a student at Coimbra, who was in the first year of his studies of a course of law. The charge against him, if true, was certainly of a disgusting and odious nature; but there were, great doubts whether it was true at all. The offence was said to have been committed at least a year and a half before Bonhomme was placed on his trial. For a long time no notice whatever was taken of it. At the time of its commission, if it ever was committed, Bonhomme was in company with several Portuguese students; those students were never proceeded against, but the Frenchman was selected as a single victim to answer for them all. He would suppose, however, for the sake of argument, that Bonhomme was justly condemned by the Portuguese tribunals, and even then, he would say, that France, if she put the whole of that case out of consideration, had upon other grounds, just claims for redress upon the usurper and tyrant of Portugal. Take for instance the case of M. Souvinet—a man far advanced in years. What was the charge against him? That rockets had been let off in his garden. He was tried upon this charge before a military commission; and, in the act which recorded his conviction, it was stated, that some of the soldiers who had been drawn over to the revolution had received refreshments in his warehouse. It was likewise stated, that he was not present when these refreshments were given; that he had not authorized them to be given; that he was not privy to their having been given, and that his usual place of residence was at a great distance off. But then it was said, that these circumstances did not relieve him from the imputation of guilt, "not only because he was responsible in a crime of such magnitude for whatever passed in his warehouse as its owner, but also, because he had confessed in his interrogatories, that he had been advised twice by his foreman to keep out of the way." In the record of his sentence it was argued, that such being the case, he must have been guilty, for would such advice have been given to him by his foreman, unless his foreman had been privy to his traitorous designs? The record then proceeded to state, that "this would not have happened if the misgivings of the foreman had not implicated the conscience of the prisoner, which is corroborated by the fact of his having been apprehended while concealed in the upper part of his garret, which no innocent person would be; and another corroboration may be derived from the liberal ideas to which he is so partial, as may be collected from the papers that were seized in his possession. But," continued this extraordinary document, "there is no clear proof that the rockets were let off from the house of this prisoner, or that, among the papers found upon him, there were any establishing a premeditated revolution." In spite of this judicial declaration, M. Souvinet—at that time seventy-six years of age—was condemned to a brutal and barbarous imprisonment; he was thrust into a dungeon, where he was treated more like a dumb animal than a human being—where he was deprived of those comforts which are allowed even to the worst criminals—where he was subjected to blows and stripes, and other wanton cruelties—where he was compelled to endure almost every species of mental and physical torture—and all this on the most frivolous pretences, for which there was not even a shadow of proof. We had a right to say—indeed it was impossible to deny—that, if this had been the only ground, it was in itself a ground on which France had a right to demand full satisfaction from the government of Portugal. But was this the only case of oppression to which French subjects had been exposed? No; there were several other cases—there were the cases of Gambey and of Vallon, of Dupont, of the engraver Dubois, and of several other persons. All these parties had been imprisoned, one of them for a year, another for twenty-seven months—all without guilt, or even without the allegation in their sentences that the charges adduced against them were proved. He, therefore, said, that the French government was entitled to demand redress from the Portuguese government; and furthermore, that the British Government was not entitled to interpose to prevent the French government from obtaining it. His right hon. friend had said, that though we might not have known of the intention of the French government to demand satisfaction on the 4th of May when we obtained satisfaction for ourselves, we must have known it on the 14th of the same month, when, having obtained redress from Portugal, we were bound to have come forward in her behalf. To this he would reply, that, at that time, the transaction had got to a stage at which our interference, even if it had been justifiable, would have been most difficult of execution. When the French Consul General at Lisbon first interfered on behalf of his oppressed countrymen, the Portuguese minister said to him, "We cannot listen to you; you are only a consul; your note involves questions of a diplomatic nature; such communications are alien to your functions; and we regret that we find ourselves in the utter impossibility of replying to them." The ministers of Don Miguel had, however, listened to the French Consul general on other occasions; but as soon as his communications began to be disagreeable to their master, they turned round upon him and said, "We cannot hear your proposals: you are no diplomatist;" True, he was no diplomatist, for diplomatic intercourse between Portugal and civilized Europe had ceased, for some time previously, to exist. Their refusal was tantamount to saying to the French Consul General, "We will injure your country at will, and for the injuries we inflict upon it, we will give you no redress." What, then, was the conduct which France pursued under such circumstances? First of all, she sent a single ship to demand redress. The demand of redress was met by a distinct refusal; but when a squadron of French vessels of war arrived, and the Portuguese knew that reprisals would be made upon their commerce, then their answer was, "Have the goodness to wait awhile; we have referred your claims to England, our good and faithful ally, and we request that you will suspend your operation, and keep your orders in your pocket, until we learn how the question will be settled by that country." What would any English admiral have said to such a proposition? What reply did the House conceive an English Commander would make, if he were told, "We have written to France for instructions—wait till we get our answer from Paris?" He well knew what an English admiral would do under such circumstances; he would shew no hesitation—he would execute his orders without delay, and would take no notice of an answer so evidently evasive. It would have been the height of injustice, if, in this crisis of affairs, we had turned round on France and said, "You shall get no reparation for your injured subjects—we are lords paramount of Europe—we have a peculiar right to compel Portugal to satisfy us, and to prevent her from satisfying any one else—we consider Portugal as part of the dominions of England—we will allow her to insult all the rest of Europe but ourselves, and if you think of obtaining redress for your wrongs, you must prepare to meet an English fleet upon the ocean, and an English army in the field." It was a remarkable phenomenon, that at this moment the political opponents of the government, both in England and France, appeared anxious to goad the people of their respective countries into quarrel, and into war. He well remembered that when, some time ago, he pressed on the House his opinions as to the course which we ought to follow towards the government of Portugal, he was met by the cry, "Your voice is for war—we cannot adopt your policy without being led into immediate hostilities. If he were to retort that charge upon the opposition of the present day—if he were to say, that the course which they urged Ministers to pursue towards France, would necessarily terminate in a war with that country—he should say that which would be better founded in fact than the groundless charge which they had formerly advanced against him. He would, however, console the House and the country by assuring them thus publicly that such taunts as those would have no influence on the present Administration. His Majesty's Ministers were fully sensible of the value of the friendship of so liberal and intelligent a power as France. They hoped that they had established on a firm basis, peace, and amity between England and France. They trusted that the days were now gone by, when petty feuds and paltry jealousies, and selfish notions of mistaken interests, would have any influence on either government. The two countries had too many interests, too many feelings in common, to allow themselves to be separated by those who were the enemies of free institutions in both; and though Ministers were now charged with having been too partial to France in this instance, he hoped that the people of England would be convinced, that without sacrificing their interests or derogating from their honour, the Government had succeeded in making a cordial union with our old hereditary foe, and in pursuing a peaceful course equally honourable to both nations. He had now done with this part of the charge against the present Administration. The other part of the indictment which his right hon. friend had drawn up against them, amounted to this—that they had not observed that neutrality and that non-interference which had been laid down by their predecessors in office, and which they had sanctioned themselves. Now, with regard to the doctrine of non-interference, he must say, that the late Administration had carried it much further than the present Administration was inclined to do; for the late Administration had determined not to violate the principles of non-interference, even when interference was required, by a regard of what was due to the protection of British interests. The only ground on which this charge of violated neutrality was founded, was, an assertion that the provisions of the Foreign Enlistment Bill had not been enforced by the present Ministers; and though the Motion of his right hon. friend was prefaced by a long and elaborate review of all our transactions with Portugal during the last four years, the Motion itself related to nothing more than a few alleged facts, which were said to have taken place within the last four months. His right hon. friend had been a little taken by surprise by the acquiescence of the Government on the last motion which he had brought forward, for he found the papers for which he moved granted without opposition; and, therefore, his right hon. friend was determined to guard himself against a similar surprise on this occasion, for he now moved for papers which he must know that it was impossible for any government to grant. His right hon. friend wanted to obtain a sight of certain *ex parte* affidavits, which had been forwarded to Government, casting reflections on individuals which were entirely unsupported by facts, and which related to matters which might be the subject of future legal proceedings. The production of these documents might excite unjust and unfounded prejudice against the individuals to whom they referred, and, therefore, they were necessarily withheld. He denied that the Administration had shewn any partiality to either of the two conflicting parties, either by what they had done, or by what they had left undone. His right hon. friend (Sir James Mackintosh) had said, and had said truly, that there was nothing in the provisions of the Foreign Enlistment Act which made it obligatory on the Government to carry them into execution. It was competent for any person to enforce the provisions of the Act; and he did not know what reason the Portuguese Consul General had to call upon the British Government to institute proceedings under that act, when, if he had proof against the parties, he could institute them himself. He repeated the assertion—the Portuguese Consul General could have instituted such proceedings himself, and it was not incumbent on the Government to institute them for him. Having, he thought, fully answered that charge, he must now allude to the power which the Government possessed, under the same act, to detain ships. The Act of Parliament said, that when there was reason to believe that a ship, lying in an English harbour, was taking in arms and soldiers, to be employed against a state in amity with England, any party might lodge an information against the captain and owners of the vessel with the officers of customs, and upon that information being verified, the officers of Customs shall have power to detain the ship, and to prevent the individuals on board of it from sailing. His right hon. friend might not be aware of this fact, but he (Lord Palmerston) would remind several of his right hon. friends, colleagues in the late cabinet, of it, by reminding them of what had occurred on the detention of the ship *Mary*. That vessel was detained some time ago on the suspicion that it was about to proceed to the coast of Spain, as part of a projected expedition against the monarch of that country. There were on board of that ship several Spaniards, a number of arms, a quantity of proclamations addressed to the people of Spain; and there could be no doubt, morally speaking, that she was equipped for purposes of war; and yet, strong as the case was, he was sure that the hon. and learned Member for Boroughbridge would agree with him in saying, that there was no ground for detaining that vessel, except that she was preparing to take out arms which had not been entered at the Custom-house. The vessel was subsequently proceeded against for having on board contraband arms: but it was not found practicable to proceed against her under the Foreign Enlistment Act. That was a much stronger case than any which had been remarked upon on the present occasion. The vessel complained of in this instance had no arms on board, nor had she any men on board, but the men, which were barely sufficient to navigate her. She was destined for a port of France, and her cargo was consigned to French subjects. What the ulterior destination of the vessel and of the cargo were to be, it would be idle to express a doubt; but, in the execution of the law, they must look only to facts proved, and not to surmises, guesses, and doubtful inferences. If they looked to any thing else but facts, when they were administering a harsh penal law like the Foreign Enlistment Act, they must inevitably run into very great and dangerous abuses. He thought that he had now said enough to prove, that the conduct of the present Administration was not open to any of the censure which his right hon. friend had passed upon it. He considered the Motion of the right hon. Gentleman to amount to an appeal to the House as to the foreign policy of the present Ministers as contrasted with that of their predecessors in office. The Motion and appeal were perfectly legitimate, and if the opinion of the House should be (as he anticipated it would) one of approval of the course pursued by his Majesty's Ministers, and that they had in that course succeeded in preserving the peace of the country without any sacrifice of the national honour, and in protecting the rights and interests of his Majesty's subjects without overstepping the limits of prudence, he felt no alarm as to the fate the Motion would experience. He should not, therefore, take the result of the Motion to be confined merely to the production of half a dozen additional affidavits, but to extend to the approval, or otherwise, of the manner in which the present Government had conducted its foreign relations.

Sir *Robert Peel* said, that the Government would give some proof of their confidence in the justice of their cause if they condescended to state reasons for the opposition they offered to the motions which were brought before the House, instead of upon every occasion declaring that each individual question affected the general stability of the Administration, and must therefore be opposed. They would have acted more fairly now in coming forward with statements, explanatory of their acts, than in endeavouring, as they had done, to shield themselves from an inquiry into their alleged misconduct. On one occasion they turn round, and say, remember the Reform Bill; unless you vote for us, the Reform Bill is lost. On the question of the Russian Dutch loan, did not the noble Lord, the member for Devonshire, expressly state, if you suffer us to be beaten on this question, we are lost; and there is an end of Reform, unless you certify the Attorney General's law to be good law. The same course of proceeding was adopted with respect to the question then before them. Some hon. Members entertained great suspicions as to the relations in which England and Portugal were now placed with regard to each other, and the instant those suspicions were propounded and an explanation demanded, up started his noble friend with a declaration, that this was an attack on the foreign policy of the present Government generally; and, therefore, he must decline considering the abstract merits of the particular question at issue. He would address himself to some of the arguments used on the other side. The noble Lord (Morpeth), the member for Yorkshire, had referred to what had taken place at Terceira, as if the opinion of Parliament had not been already pronounced upon that subject. The noble Lord had devoted the great part of his speech to the consideration of the policy of our interfering in that instance, concluding with an assertion, that the sole ground upon which the Government of that day escaped condemnation was the gratitude the country felt for the passing of the Catholic Emancipation Bill. In consideration of this measure, the Opposition of that day was unwilling to censure them. The Opposition was pacified and merciful. He did not wish to say anything unkind of the subordinate persons attached to the fortunes of the present Administration; but he might be permitted to direct his attention to the leaders. First, however, he would remark, that upon a question of censure upon the Ministry, the House had divided, and the Motion was supported by 78—opposed by 191; and consequently there was a majority of 113 in favour of the late Government. The noble Lord accounted for their triumph by attributing it to the forbearance of the party opposed to them. Now, on what ground did this pretended forbearance rest? He would not trouble himself with the course pursued by subordinate Members of the party—but would refer to the acts of its leaders. He saw on the opposite Bench five Cabinet Ministers sitting together. Those five Cabinet Ministers took a part on the Terceira question. First, there was the right hon. President of the Board of Control (Mr. Charles Grant); the noble Lord (Lord Althorp), who sat next him, was Teller in the division; the next noble Lord (Lord Palmerston) proposed the censure; the next noble Lord (Lord John Russell) voted for it; and the right hon. Gentleman (Mr. Stanley) made the best speech in support of it. Now, as there were only five of these gentlemen now in office, and as all the five had voted against the late Administration, surely no claim for great forbearance could be established. To address himself more particularly to the course of argument pursued by the noble Lord, he must remark, when the noble Lord accused that side of the House of a desire to censure the conduct of Government right or wrong, that he, for one, would proceed upon no such principle as that which was attributed to his party by the noble Lord. When he thought the Ministers were not entitled to credit, he would boldly express his opinion to that effect; and when he thought they were entitled to credit, he would at once admit it. The noble Lord had said that no objection could be fairly taken either to the period or to the mode which was chosen for the enforcement of the British claims upon Portugal. He was ready to admit, that, in his opinion, there was a repeated neglect of our remonstrance upon the part of Portugal which did justify England in its interference. He would not for a moment attempt to justify the conduct of the Portuguese with respect to British subjects. He denied the assertion that his noble friend (Lord Aberdeen) had manifested the slightest disposition to overlook the just claim which those British subjects had for redress. That noble Lord had made a demand for reparation, and had informed the Portuguese government, that if this demand were not acceded to, it would be enforced by a naval expedition. Suppose thirty days had been allowed to Portugal to make reparation. Could it be justly said, that the allowance of such an interval before the actual application of force was a proof of indifference to British wrongs. He could confidently declare, that, if the late Ministers had remained in office, they would have as rigidly exacted reparation for the injuries of Portugal as their successors had done. But nothing, it appeared, would satisfy the majority of the House of Commons but the resort to force. There must be no delay—no expostulation—no consideration of tenderness towards an ancient and powerless ally, but every demand must be instantly enforced at the point of the sword. Was this the pacific policy which Reform was to establish? One Gentleman roused their passions by an inflamed account of corporal punishments inflicted on individuals—another taunted them with mean and cowardly submission to insults—a third demanded that they should march troops to the relief of Poland, and yet these advocates for war had voted for Reform as the surest guarantee of perpetual peace. When the Gentlemen on the opposite side took credit for their great promptness in enforcing British claims, and, at the same time, admitted, that this proceeding upon our part justified a like proceeding upon the part of France, he thought that they demonstrated the necessity of great caution on our part, and the policy of exhausting every other means before they had recourse to absolute force. With respect to the British claims, he thought the conduct of the noble Lord was justified by the circumstances of the case. It would have been inconsistent with the honour of England to have suffered a much longer period to elapse without asserting these claims. But, to come to the next and most important point—the rights of France, were they of the same character? Decidedly not. They were entirely dissimilar. He must also say, that these claims were not put forward in the most irreproachable way. He thought the noble Lord, the Secretary of State, had made use of some expressions, from which he would be not unwilling to recede before the termination of the debate. But whether the noble Lord did or did not retract those expressions, he thought he should be able to prove that they could not be vindicated. The noble Lord said, that even if Bonhomme was justly condemned, the French government was still borne out in its demands for reparation, on account of other injuries it had sustained; and yet one of those demands was, that the judges who had justly condemned Bonhomme should be dismissed, and that the sentence passed on him should be abrogated. [An *Hon. Member:* that is a quibble.] A quibble! he said it was no quibble. In addition to the dismissal of the judges, a compensation of 20,000 francs was demanded for Bonhomme. Now, if the sentence was a just one, was it reasonable to demand such a payment for the man who had been justly condemned? If one state, possessing great power, were thus by force to compel assent to such demands from a weak state, he asked, what security was there for the integrity or independence of any of the minor powers of Europe? Why, they would exist only by sufferance. No government had a right to make such demands. What must be the condition of judges, too, if they were to be liable to dismissal upon the application of a foreign government, for having justly condemned a foreigner who had rendered himself liable to punishment according to the laws of the country. Supposing the sentence to be manifestly unjust, he did not blame France for interfering; but he thought that, without the fullest proof of corruption in the judges, France never should have put forward a demand for their dismissal. But this was not all. The next demand was, for the reversal of all sentences passed upon Frenchmen for political offences during the last two years, without qualification, exception, or inquiry. Was not such a demand from a strong power to a weak one absolutely fatal to the integrity and independence of the weak power? The letter from the noble Lord to Mr. Hoppner stated, in effect, that as the Portuguese government had before changed their judges upon similar occasions, they might as well do so on the present. But the noble Lord seemed to doubt his own view of the case, for on the same day he wrote to the Ambassador at Paris, desiring him to recommend an inquiry, upon the part of the French government, into the true character of the transactions in Portugal. Was any such inquiry made, or did that government proceed upon vague rumour. The noble Lord (Lord Ebrington), congratulated the House upon the fact of the country's having escaped the recognition of Don Miguel by the resignation of the late Government; but here the noble Lord differed altogether from one of his leaders. A noble Lord (Lord Althorp), when allusion was made, in the King's Speech, in the year 1830, to the necessity of speedily acknowledging the sovereign of Portugal *de facto*, had expressed his cordial concurrence in the policy of so doing, and had moreover declared, that he did not think the Government would be justified in delaying the recognition of Don Miguel longer. In this opinion he certainly concurred with the noble Lord; for he thought that it was fair to conclude that a sovereign *de facto*, who maintained his authority for three years, was the choice of the people; we were entitled to withhold our recognition of Don Miguel at first. It could not be denied that he had violated his promises to this country —but if we did not interrupt the relations of peace with him on that account, and if the people of Portugal admitted his right to rule over them, surely we were not justified in a permanent refusal to re-establish our diplomatic relations with Portugal. If the contrary doctrine were upheld, how could the acknowledgment of the new sovereign of France be justified. In his opinion, the private character of the prince had nothing to do with the question. He conceived that the United States had displayed a much wiser policy towards the sovereign *de facto* of Portugal, in recognising him, while they reserved to themselves the right of demanding reparation for injuries. He trusted, that, in the pending contest between Don Pedro and Don Miguel, England would practically observe the neutrality which her Ministers professed, that no indignation against the personal conduct of Don Miguel—no sympathy with such persons as Bonhomme—would disturb the calm judgment of the House, and precipitate the country into any course at variance with that which the law of nations, and our true interests, prescribed. Whatever they might think of Don Pedro or Don Miguel, they were all agreed that it was the duty of England to maintain a friendly and close connection with Portugal. The country was bound to do this on every principle of law, equity, and prudence; but he did fear, notwithstanding what had fallen from the noble Lord opposite, that a strict neutrality had not been observed. Any departure from it, under the present position of European politics, would be ultimately attended with the worst consequences. This country was bound to Portugal by several treaties, which gave England rights in Portugal, and imposed obligations on England in return; so that our relations with Portugal were not merely governed by ordinary international law, but by conventional law. Under that law, we claimed from Portugal particular commercial advantages, and were bound in return to support and protect that country. The alliance was not with the person at the head of the State, but with the State itself, and Portugal had a right to demand from this country an observance of the engagements into which it had entered, and which were the price of commercial privileges and immunities granted to us by Portugal in return. He did not contend that, in a case of disputed succession to the throne—in a case of invasion by one of the claimants—that we were bound by treaty to assist the other in repelling that invasion, but he did contend that we were bound to maintain strict neutrality, and to give no countenance or support to the invader. The system which had notoriously been pursued in this country, of enlisting men, fitting out armaments, purchasing warlike stores for the purpose of assisting one of the contending parties, was a direct breach, not only of conventional, but of international, law. In this respect the Portuguese themselves had set this country a better example. In the year 1654, at the period of the Commonwealth, when Prince Maurice and Prince Rupert betook themselves to Portugal to arrange an expedition against the then Government of England, that Government required the Portuguese to consider them as rebels; and in the year 1656, the Portuguese refused to harbour the two princes, as being opponents to a *de facto* government. There was another instance: at the time of the war with our American colonies, Portugal was prohibited by England from harbouring any of the rebel subjects of the King, or holding any amicable communication with the revolted provinces. With regard to the main question before the House, it was said, they had only heard rumours and whispers, which did not prove anything; but if this Motion was carried—if the papers were produced—he should be able to shew clear cases of the violation of the Foreign Enlistment Act. It was notorious that there were stations in the metropolis for the enlistment of troops for the service of Don Pedro; and it was equally notorious, that a preference was given to British soldiers. It was also well known, that, on application at the Custom House, four vessels, destined for the expedition against Portugal, had been detained in the river. They had been detained at the instance of that department (the Customs) which is empowered by law to enforce the provisions of the Foreign Enlistment Act, and yet these four vessels, having troops and warlike stores for the equipment of Don Pedro, after a detention of three weeks, were released by the intervention of his Majesty's Government. Why were they not brought under the consideration of the ordinary tribunal, the Court of Exchequer? The Executive Government released these vessels without the intervention of law. That conduct had placed the Government under the just suspicion of having violated neutrality. Was it not the fact, that these four vessels which had been thus released, after three weeks' detention by the Customs, did, subsequently to their release, actually form part of the expedition of Don Pedro? Was it not the fact, that one of these vessels was the very vessel from which the proclamation of Don Pedro was issued. If these were facts, and if these vessels were suffered to go to a French port, and to form part of an expedition against Don Miguel, it was a violation of our neutrality. There could be no doubt that the Government were bound to be careful, and see that foreign vessels were not unjustly detained; but when a detention had taken place, on information on oath, the ships should not have been released without an appeal to the regular tribunals of the country. The noble Lord had said, that public inconvenience might have arisen from the detention of foreigners. Let foreigners obey the law of this country—and thus avoid that inconvenience. They had no right to compromise us by the commission, on neutral ground, of acts of hostility. If the noble Lord objected to the Motion, on the ground of public inconvenience attending the production of the papers moved for, that would be a different question; but he would not acquiesce in the force of the only objection made to their production—namely, that to call for them, was to imply a censure on the Government. It might be easy, by means of a majority, to negative this Motion; but not so easy to establish the fact, that neutrality had not been violated, and that the expedition had not sailed from a French port, under the countenance of England. If Don Miguel were hurled from his throne, and Don Pedro succeeded to it, was it to be believed that the influence of England would remain predominant in Portugal? What reply could be made to Spain, should she say, "I feel my interests compromised by the destruction of Don Miguel's authority, and I will exercise that right of assisting to maintain it, which cannot be denied to me, if other powers may co-operate in the attempt to overthrow it." He must say one word regarding the municipal law of this country. If Ministers thought the Foreign Enlistment Act so atrocious, why did they not at once propose the repeal of it? If they disapproved of the expedition, knowing its nature, it was their duty at least not to interfere, as they had interfered, with the ordinary course of the law. If Ministers were desirous of maintaining tranquillity, they ought, above all, to be desirous of maintaining neutrality, and the Foreign Enlistment Act gave the means of maintaining it. If it had been departed from in this instance, Great Britain had abandoned the high ground she ought to occupy, had pursued a course alike forbidden by prudence and by justice, and had set an example to after times from which the most serious evils might be anticipated.

Mr. *Stanley* said, it was not his intention at that late hour, to enter largely into all those questions which had been so irregularly introduced on a motion for papers with which these subjects were so little connected; and further, he was induced to confine himself to the particular topic under discussion, because the right hon. Baronet who had just sat down had fairly restricted himself to the question before the House, and had not gone into those other topics which some hon. Members had so amply discussed. There was some temptation, indeed, for hon. Members to diverge from the question, since of the hour and a half which the right hon. Member had consumed in opening the debate, not ten minutes was occupied by observations which had any reference to the Motion with which he had concluded his speech. Upon some points the right hon. Baronet had given his Majesty's Government a full justification; and he should, therefore, not enter into a comparison between the plan pursued by his noble friend and his predecessors. But the right hon. Baronet had adopted an extraordinary course when he complained of Ministers shewing a desire to flinch from the discussion, and to evade the question before the House, and then he taunted them with alluding, on a former occasion, to the question of Reform. His noble friend (Lord Palmerston), as had been observed, had in a single sentence noticed the question of Reform; but, if not intimately connected with the question before the House, it was intimately connected with the continuance of the present Government in power, as the leading purpose of its administration. The right hon. Baronet had declared, that he had little hope from a Reforming Cabinet when he saw it rushing into war; but, where was the proof that it was disposed to incur the danger of hostilities? From month to month, and from week to week, the charge had been reiterated, but invariably disproved by the event; although of the last year it might justly be said, that, during that whole period, it required the deepest attention, and the most consummate prudence, to preserve the tranquillity of Europe. The hon. member for Thetford had asserted, when first the present servants of the Crown came into power, that if they could preserve the peace of Europe for but six months, they must possess the highest talents for diplomacy. Three times six months had elapsed, and the peace of Europe had not only remained undisturbed, but at this moment it rested upon a more solid foundation than when the hon. member for Thetford spoke. When the French troops entered Belgium, the other side triumphantly exclaimed, "There they are, but when would they retire?" They had retired: his noble friend had expressed the confidence of the Government that such would be the result, and that confidence had been completely justified. Again, when the French fleet entered the Tagus, it was asked, "When will they quit it, and what will they not do, now they are there?" He would ask, in return, had they not quitted it—had they sought territorial acquisitions—had they violated the law of nations, and had they made reprisals beyond what they had the strictest right to demand. With respect to the sentences on the individuals referred to, did the right hon. Baronet suppose that the French sent a fleet to Lisbon for the sake of Bonhomme alone, and not in consequence of a series of insults? He admitted there were strong objections to interfering with the established legal institutions of a foreign country; but supposing it were right to flog Bonhomme through the town of Coimbra, and to banish him to the pestilential climate of Angola, was it just that he should have been flogged again in prison, when it was not ordered by the sentence of the Judges.

Sir *Robert Peel:* I was aware of that.

Mr. *Stanley* said, if the right hon. Baronet was aware of the fact, he was surprised he did not state it. The treatment of Souvinet, Gambi, and Dupont had been equally cruel and unjust. The Judges were not individuals clothed with a character that commanded respect for their decisions; they were notoriously and palpably the mere tools and instruments of a despotic government, and, where that was the case, a foreign power was not to be interdicted from interference on the mere pretext that it was the sentence of judges. He (Mr. Stanley) would not quote from Mr. Hoppner, whose evidence seemed to be suspected, but he would quote a despatch from Mr. Matthews, who, in 1828, stated that the fate of the prisoners would be decided according to the impression which the government took of their case, for that no judge would venture to act in opposition to the desires to the government. Then what became of the argument about inviolability and security, when it was notorious that the judges were thus dependent on the government? But the right hon. Baronet said, the question was, how far the Government was justified in the course it had taken. The right hon. Baronet said, "I have seen newspapers, I have heard rumours, I could prove a great deal, but I have nothing to go upon except these vague rumours. which have reached me as they have reached every one else." He agreed with the right hon. Baronet with respect to the relative situation of Great Britain, and as to the expediency of maintaining our relations with Portugal. The right hon. Baronet had stated truly, that it was not the character of the prince on the throne we were to consider; but the right hon. Baronet must also admit that there was a time in the history of England, not far remote from the present, when a Government, composed of persons with whom the right hon. Baronet acted, justified the continuance of a war with France, on the ground that there was no security for the peace of Europe from the personal character of Napoleon Buonaparte. Was not that an instance in which the personal character of the individual was considered? Then how might not our relations with Portugal be affected by the conduct and character of the prince? Let any one say, whether the personal character of the weak despot of Portugal had not endangered the peace of Europe. He agreed, too, with the right hon. Baronet that we were bound to preserve a strict neutrality; but, when it was asserted that we had shown a partiality for one side, those who made that assertion were bound to show that their declarations were correct. They were bound to prove it, by stating some fact, and not by begging the whole question. The right hon. Baronet said, that Government had been culpable for suffering recruiting, and purchasing of stores and provisions, for Don Pedro; but he called upon him to show by what Act of Parliament, unless the purchases and enlistments were open and notorious, the Government would have been authorised to prevent them. He believed that it was notorious that in various parts of the kingdom there had been enlisting of men for Don Pedro; he believed the fact to be so; but if we were bound to enforce the enlistment law, we were bound not to overlook the technical difficulties, and overstep the law—not to proceed on mere belief, but on facts capable of being established by legal evidence. The right hon. Baronet said correctly, that the four ships were detained at the Custom-house, he believed, in a supposition that they were intended for Don Pedro; but on a full investigation of the grounds of the charge, it was given as the legal opinion of those who were consulted on it, that the evidence was not such as would substantiate the charge, or as afforded a chance of conviction; and Ministers would not have been justified in proceeding in a case where their law advisers told them they had no chance of attaining their object. Not one of the ships were armed, and they were all said to be the property of a French subject, who claimed them, and substantiated his claim. He must also deny the position of the right hon. Baronet, that there had been any enlistment of British soldiers. There was no legal proof that any persons were enlisted in the service of Don Pedro; and he would ask the right hon. Baronet, on what ground he would interfere—on notoriety and public report, to prevent a ship from going from this to a foreign country. On these grounds, Ministers rested their defence, and let not the right hon. Baronet say that this was only a motion for papers. The right hon. Baronet had been too long in Parliament to urge such a plea, and the Ministers had been long enough on the opposite side of the House to know that they never made a motion for papers which the Government was unwilling to grant, which was not a direct attack upon the Government, and meant to be a censure on it. If this was not a part of the words of the Motion, it was a part of the intent of the Motion; and if he (Mr. Stanley) had had a doubt upon the subject, that doubt would have been resolved by the speech of the right hon. Member who introduced the Motion, which was a censure on the conduct of Government in regard to Portugal. He hoped that he would not, as on other occasions, withdraw this Motion. He knew the hon. Member did not expect it would be granted; his object was only to to make an angry attack on the Government, and to shrink from the consequences by withdrawing his Motion.

Sir *Robert Peel* begged to be allowed to explain one point: the right hon. Gentleman had granted that the sentence on Bonhomme was just, and yet contended that it was right to dismiss the judges on account of the concealed flogging. If that punishment was in addition to their sentence, it would have been the grossest injustice to make these persons responsible for it.

Sir *Charles Wetherell* said, that a case calling so strongly as this on the Government to enforce the Foreign Enlistment Bill had never occurred. The right hon. Secretary for Ireland had said—"You must first prove your case; for unless you do, we will not grant you the papers." Upon such an argument there never could be an inquiry; because the querist who asked for information must produce that information before the inquiry was conceded. That sort of logic would soon put an end to the inquisitorial power of the House of Commons, were it not so far-fetched as to be unsustainable even by the exuberant abilities of the right hon. Secretary. The right hon. Secretary had observed, that the statement upon which the Motion had been made, did not embrace the whole of the question. He concurred in that opinion; and also thought his right hon. friend, who opened the discussion, had not stated the whole case. But there was no motion at present before the House for an investigation of the facts. He would first advert to the provisions of the Foreign Enlistment Act, relying on the noble Lord, the Secretary of State for Foreign Affairs to correct him if he was wrong. They were these:—that where a case was authenticated by affidavit, before the Board of Customs, that a vessel was about to sail from a British port, equipped for warlike purposes, the Board was bound, upon such an *ex parte* statement, to issue its warrant for the detention of the vessel. In the case before the House, the Board complied with the provisions of the Act; for, upon the requisite affidavit being laid before it, instead of complaining that there was not sufficient evidence, and that it was a fictitious case, the Board recognized the propriety of investigating it, and detained the vessel till the period to which the right hon. Gentleman had alluded; so that the Board of Customs shewed by its conduct, that it considered the case for detention made out. The Government did not, in the first instance, raise the quibble which had been urged to-night from the opposite side of the House—that this was an *ex parte* statement, made upon the affidavit of an individual. Why, Gentlemen who had read the Act must know that it was expressly provided that the statement was to be made by one or several individuals; upon which statement, Government, through the medium of the Commissioners of Customs, was bound to act. Such, however, having been the case originally, Government had since said, "Well, but these vessels were not to sail directly from Great Britain to Portugal, but were destined for a port of France. But when he saw his right hon. friend (Sir James Mackintosh) who was always very diffuse on the law of nations, rise to speak on this subject, he expected to hear from him that it was no questionable matter, although the vessel got circuitously, by way of a port in France, to a port in Portugal, if the expedition was known to have been originally intended to sustain Don Pedro, that it made no difference in fact, as to the breach of the law, whether the vessels sailed directly or indirectly to the point at which Portugal was to be assailed. Several Gentlemen had stated, that these vessels were not fitted out for the Tagus; very likely not, but if they were fitted out for a port of France, as a blind and a colour to the enterprise, the case was equally a violation of the law. The right hon. Gentleman had said, that some of the men had enlisted generally; but it was notorious that they enlisted to serve Don Pedro in Portugal, and were paid for it, and so it was stated to his Majesty's Government. The right hon. Secretary complained that Gentlemen on that side of the House had not confined themselves to the facts of the case as affected by the Act of Parliament; but the noble Lord, the Secretary of State for foreign Affairs, did not touch upon that Act at all; the noble Lord made the case rest upon the policy of this country with regard to Portugal. He had only one further observation to make upon the detention of these vessels. If Gentlemen would look to the Act, they would find that, in the second or third clause, that subject was particularly noticed; and under the provisions of that Act, a breach of the law had been committed. The Government pretended to assert that the Board of Customs acted, for three weeks, upon a case surreptitiously made out, and not founded upon the actual circumstances; and yet the right hon. Secretary refused to allow the House of Commons those papers which would enable it to ascertain whether such was the fact or not. One hon. Gentleman had said, that we ought not only to have this inquiry, but that a much larger inquiry should be allowed. He had not the least objection to that course, if the Government would grant a Committee, instead of producing the papers. But the right hon. Secretary said, "Yes, but the whole thing was fictitious." There was, however, one part of the case to which the right hon. Secretary had not adverted; he meant that which applied to the judicial proceedings; and he trusted the noble Lord would not treat with scepticism the statements of one who happened to be somewhat acquainted with the circumstances, "All this, however," said the right hon. Secretary, "may be a fiction." It might be: but then the production of these papers would so shew it, and thereby exculpate his Majesty's Government. "But," responded the noble Lord, the Secretary of State for Foreign Affairs, "we have taken certain opinions upon the subject." Whose opinions? were they those of the Law Officers of the Crown? He did not ask for the production of these opinions, but it would be as well for those hon. and learned Gentlemen to state whether they did or did not give those opinions. Undoubtedly, a case was made out for inquiry. This was an opinion which he had heretofore given, and he should never give an opinion in one place, and not act upon it in another. He had, upon full consideration, given it as his opinion that this case was decidedly made out. The Government acted upon the statement which constituted the narrative laid before him; but these Law Officers had come to a different conclusion. The right hon. Gentleman had said, that the object of this Motion was not to apply the results to the particular case or object stated;

but to serve as a peg on which to hang a general view of the foreign policy of his Majesty's Government. Suppose the fact were so, was it any argument against the Motion. True, the debate might be irregular; but that was no reason why the Motion should not be entertained. There was only one more observation of the right hon. Secretary which he wished to advert to; and that was the case of the dismissal of the judges. He should be very glad to know what the Gentlemen on the other side of the House would say, if France should require the dismissal of the Lord Chief Justice Tenterden, or of the Judge of the Court of Admiralty; and if France were to say, "Why, your judges have improperly condemned a vessel, and we therefore require their dismissal." He appealed to the right hon. Gentleman, the member for Knaresborough, whether, with all his great knowledge, and all his fulness of learning in the science of jurisprudence, he ever read of such atrocious conduct towards any nation as that of France towards Portugal? For the sake of argument, the right hon. Gentleman, the Secretary for Ireland, had endeavoured to show that these judges were the creatures of the government of Portugal. If so, it was not the fault of the judges—it was the fault of the government. But then, surely, that argument was futile. If these judges were independent, the error and the crime were their own: if they were dependent, then to call upon a government to dismiss its own creatures would be an unprofitable result. He would not, at that time of the night, enter any further into the subject. He had stated very shortly the substance of his opinion, which was, that the case had been made out which the Act required, namely, that the facts had been stated upon affidavit, which was all that was necessary for calling upon Government to enforce the provisions of the law. If the Government required more evidence than had been produced in this case, it, in effect, rendered null and abortive the whole Act, which required no other demonstration than a probable and provable case, founded upon affidavit. Under these circumstances he concurred in the Motion of his right hon. friend. If there were any who thought this Act ought not to exist, let them come forward, and move to repeal it; and let them say, that it was wise that our foreign relations should be left to the general construction of the law of nations, and not be governed by this specific Act. But, as long as that Act remained, it ought to be adhered to; whereas the Government had, in this case, in a most gross manner, dispensed with its clearest and most undoubted provisions.

The *Attorney General* said, there never had been a motion brought before the House with less parliamentary grounds of support than the one now under discussion. It was admitted by his hon. and learned friend who had just sat down, that the right hon. Gentleman who introduced the Motion did not state the grounds on which it was to be sustained. But the debate having commenced at five o'clock they were at twelve o'clock for the first time, favoured by his hon. and learned friend with a statement of the true grounds upon which the Motion rested. He, however, contended that no grounds had been adduced up to this moment which made out the smallest *primâ facie* case against the Government. His hon. and learned friend had indeed, obliged them with one species of charge against Ministers; this he had brought forward, with much delicacy of manner, particularly when his situation was considered. It appeared that he had had some facts laid before him upon which he had given his opinion. And so, because a learned counsel, upon a statement which must necessarily be *ex parte* and made by interested persons, and which had not been shown to those who were called upon to act officially, had given an opinion, the House of Commons was to presume, that the Government, which acted in accordance with other legal opinions given upon a full and perfect knowledge of all the facts, had pursued an erroneous course; and because the Government allowed the vessels which had been detained upon imperfect statements during three weeks to be afterwards released, it was assumed to have done wrong. His hon. and learned friend had stated what his own opinion was;—namely, that the facts made out such a case as "called upon the Government to interfere." He begged to know what sort of legal opinion that was, which put such a construction upon an Act of Parliament, that certainly invested a "discretionary" power in Government to interfere or not, as its judgment, under all the circumstances, might dictate? He must own that if a Gentleman who was formerly Attorney General, but who was now in opposition, was first to form his opinion upon one *ex parte* statement, and was then to lay down a rule upon which Government was to act, (in a question of the utmost delicacy, and fraught with the most momentous consequences to the whole world), it would become, after this, a very easy matter to refer all the various and difficult duties of Government to a Committee of the House of Commons, where all sorts of information might be called for by persons interested in thwarting the measures and destroying the existence of Government. But he must take the liberty to deny that there was anything in the Foreign Enlistment Act which called upon Government to proceed upon any given case whatsoever. It was a remarkable feature of that Act, that whatever power the common law might previously have given, was taken out of the hands of Government by its enactments, when it was made a misdemeanour to enlist in foreign service; and when it was enacted, that the men, and the ship in which they were embarked, should be detained (though what the ship was to be done with, after its detention, was not stated) by the Custom-house officers, just in the same manner as any contraband commodities would be dealt with. This was a peculiarity in the case which ought not to be overlooked; but if Government had received information from any subordinate branches, such, for instance, as the Board of Customs, upon which they acted in the first instance, was it not proper afterwards for them to make further inquiries as to whether the case was really made out, and whether there was any grounds upon which they could with propriety proceed? It seemed to him that this Act, of which, as it was a law, he did not wish to speak in disdainful terms, nor to enter into any consideration of its nature; but it seemed to him that this Act (even upon a seizure made under it, in a case where a forfeiture had been notoriously incurred, if any person chose to claim such forfeiture by bringing the facts before a Jury) had left it to Government to act upon its provisions or not, at its discretion. He must own, that he thought the question ought to be put upon higher grounds than those which had yet been taken. He remembered well the days when the Bill was first introduced, and the arduous efforts made by his hon. friends on that occasion to prevent its becoming a law. He stood upon the ground on which they then stood, when he had the satisfaction and the happiness of hearing that triumphant, splendid, and matchless strain of eloquence from his right hon. and learned friend, the member for Knaresborough, in which he warned the Government of that day of the dangerous situation in which they were placing themselves, when they were consenting to impose a stern restraint upon all the ardent friends of freedom, in order to please the court of Spain. He looked back to those times with feelings of exultation; and if he then thought that it was an unwise and impolitic measure to be enacted, the same reasons which occasioned that opinion, would now make him very much doubt whether it was one that ought to be carried into effect. Their argument was this—"You talk of neutrality and impartiality, when, in point of fact, you depart from both. The very object of this Bill is to restrict. rather than foster the courage and military ardour of your own nation: you are preventing that martial and adventurous spirit which prompts Englishmen to aid the righteous cause of freedom throughout the world, by an over-strained interpretation of this law; and all this you are doing under the pretence of impartiality, because you well know that Englishmen will always espouse the righteous cause." The allegation that the people were then enlisting in the service of Spain, was unfounded; there were no recruits for the service of Spain; but there were numerous recruits for the service of the colonies which were on the side of freedom. Therefore, while the Government pretended to prevent men from espousing the cause of Spain, it was really abetting that cause by interposing an edict against the enlistment of Englishmen in the armies of the colonists. As in the present instance, he said, strict impartiality was observed only when they interfered in neither case. He had fully expected, when the hon. and gallant Officer opposite (Sir George Murray) commenced his eloquent description of the enthusiasm with which he regarded the Portuguese, while evincing their courage and patriotism in defending their country from the invasion of the Peninsula by that despot who had already overrun Europe with his armies; and after the warm and glowing description he gave of the scenes which occurred occasionally between the armies of Portugal and of Britain, he had fully expected, he said, that the hon. and gallant Officer would have concluded by giving a different vote from that which he had expressed his intention of recording. Did the hon. and gallant Officer believe that such a resistance would have then been opposedto the masses of the enemy by those brave troops, or that they would have fought so heroically against the formidable powers of Napoleon, or have entrenched themselves with the gallant Officer himself, within the lines of Lisbon, if they had thought the present state of things was to be the result of that struggle—if they had thought that an untitled tyrant was to be seated on the throne which was first vacated by his own treacheries towards her of whom, and of whose rights, he had solemnly sworn to be the protector and guardian? Could the right hon. and gallant Officer believe that those armies would have entered heartily into the cause of that species of Government which England sent him out to defeat and to overthrow? When the present ruler of Portugal arrived there, professing to come with a purpose to establish better things, and the Portuguese received him as the protector of the rights of the Queen of Portugal, did the right hon. and gallant Officer believe that if they had known that such a profession was but a pretence, in order to usurp the throne, they would have aided in establishing his despotism, and of defending the rights he had usurped? Considerations of that kind ought to be sufficient to prevent the interference of the British House of Commons with the course which our people might choose to take in the approaching conflict, although the House might know on which side the common feelings, and the popular love of freedom, that happily prevailed among Englishmen, might incline them to enlist. When it was said, that an appeal to Reform and the general policy of this country was made by way of meeting a motion which related only to Portugal, he should like to know, what had the right hon. Gentleman, who brought it forward done to direct the attention of the House to the subject? Did he not begin by tracing up the whole public conduct of the noble Lord, the Secretary of State for Foreign Affairs, in this House, from 1828 to the present hour? Had he not charged that noble Lord with importing, with "mischievous consistency," into the Cabinet those doctrines which he maintained while in Opposition? He heartily congratulated all those who were open to the charge of such "mischievous consistency," which, much to his honour, the noble Lord had so unquestionably displayed. But had not the right hon. Gentleman gone on to charge his noble friend further with having sacrificed office for the sake of those principles? Although it was not for them to advert to these things in their own praise, yet, when they were introduced into adiscussion by their adversaries, they were not to run away from them. He was sure they were charges, especially the last, of the sacrifice of office to the consistency of political principles, which might be met without a blush; but were they not, at the same time, the means of introducing questions very wide of the professed object of the present Motion? He had no doubt that, when the right hon. Gentleman came to reply, he would readily admit that his Motion had for its object nothing less than to bring into question the whole line of foreign policy which had been pursued by his Majesty's present Government.

Mr. *O'Connell* said, there never was an occasion when the hon. and learned Gentleman (Sir Charles Wetherell) was so little likely to make the House exert its inquisitorial powers as the present. The case was one in every way proper to be left to the discretion of the Ministers; and the Statute itself had given them a large discretionary power under similar circumstances. If, upon a view of the whole subject, the Government were of opinion that it was not a case to prosecute, the Act of Parliament fully warranted them to refrain from prosecuting. But his more immediate object was, to take notice of the sort of defence of the prosecution of M. Bonhomme, for the profanation of the Cathedral at Coimbra, which had been set up by the hon. member for the University of Oxford. He admitted that the hon. Gentleman had displayed considerable zeal on the occasion; but he had not shown much discretion. The monks, it was evident, did not prosecute on the ground of its being an offence to the Church; for the sentence was pronounced on the 11th of December, 1830, no arrest having been made until September in the same year, although the offence was committed so early as the beginning of April, 1828. It was an accusation brought against M. Bonhomme, in common with a number of Portuguese men and women, for going behind the curtain of the great altar of the Church of Coimbra in the afternoon of Holy Thursday, during divine service. Every Gentleman, who was at all acquainted with Catholic countries, knew that the service was continuous during the whole of that week, both by day and by night. But this Gentleman was not prosecuted till eight months afterwards. It was not the least remarkable circumstance connected with this transaction, that the monks of Coimbra commenced the prosecution in the month of June, 1828, but no arrest was made till September 1830; nor even then, until it had been discovered that the offender was a member of a Freemason's Lodge; that was the great *gravamen* of the charge against him. It was curious to observe how extremes meet. If there were Protestant monks at Oxford, as well as Catholic monks at Coimbra, he had no doubt they would have all been prepared to put down freedom, and punish the scoffer, not on account of his scoffing, but for his adherence to the cause of liberal opinions. He must now advert to a remark which fell from the right hon. Gentleman, the member for Tamworth (Sir Robert Peel). He spoke of Don Miguel as being the free choice of the Portuguese people. That certainly was not the case; for he was imposed upon them by the presence of an English army. Having solemnly taken an oath to be faithful to his niece, the young Queen of Portugal, he came to England, where he was received as Regent, acting in her name; and here he repeated the pledge of his fidelity and allegiance. No sooner did he leave this country, on his return to Portugal with that oath yet upon his lips, than he violated this most solemn pledge, by putting out of place all the firm friends of the Constitution which he had sworn to uphold, and by making his arrangements with deliberation and forethought, and adding cruelty to perjury to usurp the throne, which he had so recently bound himself to preserve for his lawful sovereign. He then completed his crimes by seating himself on the throne of his niece. There was no one who had the hardihood in that House to call himself the defender of such a wretch, but he (Mr. O'Connell) would ask the House and the nation, whether, if this Motion should be carried, every friend of Don Miguel out of that House would not triumph at its success? Yes, it would be a source of triumph and of congratulation to the friends and adherents of that "perjured monster," as he had been called in the French Chamber, who had robbed his niece of her just rights, had trampled on the liberties of his country, and had steeped the streets of Lisbon in blood. Was it to place such a wretch, a second Nero, on the throne of Portugal, that the people of that country had made that brave struggle against the arms of Napoleon which the right hon. Gentleman (Sir George Murray) had dwelt upon in such eloquent terms of admiration and of praise? Surely the brave men that then fought against the French invader little expected that a few years would see their country under the sway of such a creature as Don Miguel. No one, he repeated, had had the hardihood in that House to stand forward and avow himself the defender of such a bloody despot, and yet such was the virulence of party spirit, that although no man ventured to raise a voice in his defence, they were willing to give a vote for the maintenance of the power of one of the vilest wretches in existence.

Lord *Sandon* was anxious to state the different grounds from those taken by the last two speakers, upon which he should vote against the Motion. He must say, that whatever feelings Gentlemen might entertain, he did not think it becoming the character of that House that such language as had been heard should be applied to foreign sovereigns. Neither could he follow his hon. and learned friend, the Attorney General, in his warlike propensities. He did not think that the subjects of any State should be authorized to take up arms against their fellow-creatures, without any other cause or motive than their martial spirit, unless sanctioned by the supreme authority of the country. He did not wish the warlike spirit of the inhabitants of this country to be encouraged by what had not inaptly been called a free trade in war. He was sure Gentlemen on the side of the House on which he was (the Ministerial) would agree upon this point with the late Mr. Fox, whose expression was, that he preferred the worst of all peace to the best of all war. He did not, therefore, agree with the Attorney General, that it was proper to allow the subjects of this country to make war upon others whenever they might find occasion. He could not approve of the extremities to which the French government had gone in seizing the Portuguese fleet. But, at the same time, the present Government of England had many difficulties to deal with, which rendered it hard for them to know where to draw a line. He, therefore, could not agree to the present Motion for papers, knowing, as he did, the full meaning of such motions on a question like this. He had been ten years a Member of that House, and was too old a bird to be caught by such chaff. The effect of carrying the Motion would be the expression of a general dissent on the part of that House from the foreign policy of the Government. In this he was not prepared to join; for, although he saw here and there faults, yet, considering the difficulties they had had to encounter, he could not come to such a vote.

Mr. *Courtenay* was too sensible of the indulgence he had experienced in a former part of the evening and too well contented with the state in which the debate had been left, especially by his right hon. friend (Sir Robert Peel) to feel himself at liberty to allude to any topics that had arisen out of this debate, except those which fairly called upon him for an answer. The object of his Motion had been misrepresented throughout the debate. More exaggeration, in any statements delivered in this House, never occurred than was employed by the noble Lord opposite (Lord Palmerston), when he said that this Motion had had for its object the consideration of the whole system of foreign policy pursued by his Majesty's Ministers. He would venture to say, that not one word of his speech bore upon any part of that policy, except so far as regarded Portugal; and even with respect to our policy towards Portugal, the Motion affirmed nothing, except a disposition to preserve a strict neutrality. After the speeches from hon. Gentlemen on the other side of the House that evening, the necessity of coming to some vote upon the subject of neutrality appeared to him more pressing than ever. He thought the words of the King's Speech, of which he had already complained, justified his suspicions that neutrality was not the line of policy contemplated by his Majesty's Ministers. And although the Secretary for Ireland had made a declaration in favour of neutrality, the Secretary for Foreign Affairs had carefully abstained from it. In answer to the observation of the right hon. Secretary for Ireland, he begged to observe, that the right hon. Secretary was mistaken in supposing that he was aware that this Motion would not be granted. He did not think so; and most assuredly he would not withdraw it. But he wished it to be taken for what it was meant; that was to say, a motion for further information, and nothing more. When the noble Viscount (Palmerston), made a similar motion on a former occasion, he did not require Parliament to pronounce an opinion, but only called for papers.* In the same spirit he now proposed his Motion; and he hoped that not a very small minority would be found to agree in sentiment with him upon a subject so essential to the peace, prosperity, and security of the country.

The House divided: Ayes 139; Noes 274—Majority 135.

List of the AYES.

ENGLAND.

Althorp, Viscount
Anson, Sir G.
Atherley, Arthur
Baillie, James E.
Baring, Sir T.
Baring, Francis T.
Bayntun, S. A.
Beaumont, T. W.
Benett, John
Bentinck, Lord G.
Berkeley, Captain
Bernal, Ralph
Blake, Sir F.
Blamire, W.
Blount, E.
Blunt, Sir C.
Bouverie, Hon. D. P.
Bouverie, Hon. P. P.
Briscoe, John I.
Brougham, James
Brougham, William
Bulkeley, Sir R. W.
Buller, J. W.
Bulwer, Edward E. L.
Burton, Henry
Buxton, T. F.
Byng, Sir J.
Byng, George
Byng, G. S.
Calvert, N.
Campbell, J.
Carter, John B.
Cavendish, Lord
Cavendish, Hon. C.
Chichester, J. P. B.
Clive, Edward B.
Cradock, Col.
Crampton, P. C.
Creevey, T.
Cripps, Joseph
Cunliffe, Offley
Curteis, Herbert B.
Davies, Col. T. H.
Denison, W. J.
Denman, Sir T.
Dundas, Sir R. L.
Dundas, Hon. J. C.
Dundas, Hon. T.
Easthope, J.
Ebrington, Viscount
Ellice, E.
Ellis, W.
Etwall, Ralph,
Evans, Col. de L.
Evans, W.
Evans, W. B.
Ewart, W.
Fazakerley, J. N.
Foley, Hon. T. H.
Folkes, Sir W. Bart.
Fordwich, Lord
Fox, Lieut.-Colonel
Gordon, Robert
Graham, Rt. Hn. Sir J.
Grant, Rt. Hon. Robt.
Guise, Sir B. W.,
Handley, W. F.
Harcourt, G. G.
Harvey, D. W.
Hawkins, J. H.
Heneage, G. F.
Heron, Sir R.
Heywood, B.
Hodges, T. L.
Hodgson, J.
Horne, Sir Wm.
Hoskins, Kedgwin
Howard, H.
Howard, P. H.
Howick, Viscount
Hudson, T.
Hughes, Col.
Hume, J.
Hunt, H.
Ingilby, Sir W. A.
James, W.
Jerningham, Hon. H.

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* Parl. Debates, vol. xxiii. p. 76.

Johnstone, Sir J. B.
Jones, J.
Kemp, Thomas R.
King, E. B.
Knight, H. G.
Knight, R.
Labouchere, H.
Langston, J. H.
Lawley, Francis
Lee, J. L. H.
Lefevre, C. S.
Leigh, T. C.
Lemon, Sir C.
Lennard, F. B.
Lennox, Lord A.
Lennox, Lord G.
Lennox, Lord W.
Lister, B. L.
Littleton, E. J.
Lumley, J. S.
Lushington, Dr. S.
Maberley, Col. W. L.
Macaulay, T. B.
Macdonald, Sir J.
Mackintosh, Sir J.
Mangles, J.
Marjoribanks, S.
Marryatt, J.
Marshall, W.
Mayhew, W.
Milbank, M.
Mildmay, P. H.
Mills, J.
Milton, Viscount
Moreton, Hon. H.
Newark, Viscount
Noel, Sir Gerard,
North, F.
Norton, C. F.
Nowell, A.
Nugent, Lord
Ord, W.
Paget, Sir C.
Paget, T.
Palmer, C. F.
Palmerston, Viscount
Pelham, Hon. C. A.
Pendarvis, E. W. W.
Penleaze, J. S.
Pepys, C. C.
Petit, L. H.
Petre, Hon. E.
Phillipps, Sir R. B.
Phillips, C. M.
Philips, G. R.
Ponsonby, Hon. J.
Poyntz, W. S.
Price, Sir R.
Ramsbottom, J.
Ramsden, J. C.
Rickford, W.
Rider, T.
Robarts, A. W.
Robinson, Sir G.
Rooper, J. B.
Russell, Lord John
Russell, Sir R. G.
Russell, Lieut.-Col.
Russell, W.
Sandon, Viscount
Sanford, E. A.
Schonswar, G.
Scott, Sir E. D.
Sebright, Sir J.
Skipwith, Sir G.
Smith, G. R.
Smith, J. A.
Smith, R. V.
Spencer, Hon. Capt.
Stanhope, Capt. R. H.
Stanley, Lord
Stanley, Rt. Hn. E.G.
Stanley, J.
Staunton, Sir G. Bart.
Stephenson, H. F.
Stewart, Patrick M.
Strickland, G.
Strutt, E.
Stuart, Lord D.
Stuart, Lord P. J.
Surrey, Earl of,
Talbot, C. R. M.
Tennyson, C.
Thicknesse, R.
Thomson, Rt. Hon. P.
Thompson, P. B.
Tomes, J.
Torrens, Colonel R.
Townley, R. G.
Townshend, Lord C.
Tracy, C. H.
Troubridge, Sir E.
Tynte, C. K. K.
Tyrrell, C.
Venables, Ald.
Vernon, Hon. G. J.
Vernon, G. H.
Villiers, T. H.
Vincent, Sir F.
Waithman, Ald.
Walrond, B.
Warburton, H.
Warre, J. A.
Wason, R.
Waterpark, Lord
Watson, Hon. R.
Webb, Col. E.
Wellesley, Hn. W. L.
Western, C. C.
Weyland, Major R.
Whitmore, W. W.
Wilbraham, G.
Wilde, T.
Williams, Sir J.
Williams, J.
Williams, W. A.
Williamson, Sir H.
Willoughby, Sir H.
Wood, C.
Wood, John
Wood, Ald.
Wrightson, W. B.
Wrottesley, Sir J.
Warrender, Sir G.

SCOTLAND.

Adam, Admiral C.
Agnew, Sir A., Bart.
Dixon, J.
Ferguson, R.
Gillon, W. D.
Grant, Rt. Hon. C.
Haliburton, Hn. D. G.
Jeffrey, Rt. Hon. F.
Johnstone, A.
Johnstone, J.
Johnstone, J. J. H.
Loch, J.
Mackenzie, S.
M'Leod, R.
Ross, H.
Sinclair, G.
Stewart, Sir M. S.
Stewart, E.
Trail, G.

IRELAND.

Acheson, Viscount
Belfast, Earl of,
Bodkin, J. J.
Boyle, Hon. J.
Brabazon, Viscount
Browne, J.
Brownlow, C.
Carew, R. S.
Chapman, M. L.
Chichester, Sir A.
Clifford, Sir A.
Copeland, Ald.
Doyle, Sir J. M.
French, A.
Grattan, H.
Hill, Lord A.
Hill, Lord G. A.
Howard, R.
Jephson, C. D. O.
Killeen, Lord
King, Hon. R.
Knox, Hon. Col. J. J.
Lamb, Hon. G.
Leader, N. P.
Macnamara, W.
Mullins, F.
O'Connell, D.
O'Connell, M.
O'Connor, D.
O'Farrell, R. M.
O'Neil, Hon. Gen. J.
Ossory, Earl of,
Ponsonby, Hon. G.
Power, R.
Rice, Right Hn. T. S.
Ruthven, E. S.
Sheil, R. L.
Walker, C. A.
Wallace, T.
Westenra, Hon. H.
White, Col. H.
White, S.
Wyse, T.

TELLERS.

Duncannon, Visct.
Morpeth, Viscount

LANDLORD'S RIGHT OF HYPOTHEC (SCOTLAND.)] Mr. *Gillon*, in moving for leave to bring in a Bill to regulate the Landlords' Right of Hypothec, observed, that the law of Hypothec was familiar to hon. Members from Scotland, and also the case which had drawn the public attention particularly to that law, and to its inadequacy to the existing state of the country. The law had worked well in remote periods, when agriculture was comparatively in its infancy, but was found, in its present shape, unsuited to what he was happy to say was the greatly increased commerce and improved agriculture of that part of the kingdom. The effect of the law had undoubtedly been to create a confidence and mutual security between the landlord and tenant highly advantageous to the interests of both. Since the decision of the case, however, to which he had alluded, purchasers found themselves in a state of insecurity—an insecurity which must either continue, or the sales must be effected in a manner detrimental to the interests of all parties, and which would operate as an indirect tax on grain. The object, therefore, was, to frame a law which, while it should maintain that wholesome confidence which had existed between the landlord and tenant, should afford to the purchasers of farm produce that reasonable security to which they were entitled. The Lord Chancellor, before whom the case had come to which he had alluded, had brought in, in another place, a bill to amend the law of Hypothec, but numerous petitions had been presented from almost every agricultural county in Scotland, representing that change as too sudden and sweeping. Lord Belhaven had subsequently introduced a bill on this subject, but, from the sudden dissolution of Parliament, that bill had dropped. He had in some points followed the bill of that noble Lord; in another he adopted a different course—he had substituted intimation in place of registration, as therein proposed. The reasons for this change, which he had adopted after anxious inquiry among the parties interested on both sides, were threefold. First, it appeared to him hard to force the tenant to go to market when he might dispose of his produce without leaving his farm. Secondly, that it opened a wide door for fraud to the tenant, by making the sales and registrations in a distant part of the country; and, thirdly, that this register would be held merely as a catalogue of names of tenants whose credit was doubtful. He had been assured of the valuable advice and assistance of that noble Lord in promoting a wholesome modification of the law. His object was, that ample time should be afforded for the consideration of his proposition by every class of persons in Scotland who were to be affected by its operation. He had ventured, as a landholder of Scotland, and of course deeply interested in the security of that class, to propose a measure which he hoped would be found, at the same time, not incompatible with the interests of others.

Leave given, and Bill ordered to be brought in.

HOUSE OF LORDS,

Friday, February 10, 1832.

MINUTES.] Petitions presented. By the Earl of FINGALL, from the Inhabitants of Dunsany and Killeen, and Skreen and Rathfigh, in favour of Parliamentary Reform, and for an increased Number of Members for Ireland, and from the Roman Catholic Inhabitants of Stabannon, for an alteration in the Tithe System.

HOUSE OF COMMONS,

Friday, February 10, 1832.

MINUTES.] New Member sworn. Sir JOHN HOBHOUSE, Re-elected for Westminster.

Bills brought in. By Mr. SPRING RICE, for raising a Sum of Money by Exchequer-bills for the Service of the year 1832, for continuing certain Duties on Personal Estates, Offices, and Pensions, for the Service of the year 1832, to apply certain Sums, called Transfers of Aids, to the Service of the year 1832, and to authorize the payment of a Sum for the Erection of Public Buildings at Liverpool.

Returns ordered. On the Motion of Mr. SPRING RICE, of the quantity of Foreign and Colonial Wheat, and the Duty paid thereon, entered for Home Consumption, during the year 1831, and the quantity of each remaining in Warehouse, on the 1st of January, 1832, and the total quantity Imported during the year 1831; of the Number of Half Pay Officers employed in Civil Departments, and the Amount of their respective Salaries:—On the Motion of Mr. HUME, an Account of all the Buildings in the Royal Parks, and all other Houses and Buildings belonging to the Public, with the Names of the Occupiers, and whether they are charged to the Assessed Taxes or Parochial Rates; of the Number of Cases decided by each of the Sheriffs Depute in Scotland during the last five years; of the Number of Cases decided in the Court of Session between 1st January, 1828, and 1st January, 1831; and of the Salaries, Fees, and Emoluments of the Judges and Officers of the Court, and the Sums of Money employed in the Repair of the Buildings in each of the years 1830, and 1831; of the Number of District Surveyors and their Names, Dates of Appointments, and Emoluments, of the Number of New Buildings erected in each district, and of the Number of Informations filed, and Surcharges made:—On the Motion of Mr. STANLEY, of the Name of every Parish in Ireland, in which an Agreement had been made under the Composition Act, distinguishing Tithes held by Ecclesiastical, or Lay Impropriators, and the Amount of Composition in each case:—On the Motion of Sir GEORGE CLERK, a Statement of the Receipt and Expenditure of the Royal Navy, between 1st January, and 31st December, 1831, and the like Account of Money Voted by Parliament, and Expended for Victualling the Navy.

Petitions presented. By Lord ALTHORP, from a Friendly Benefit Society, Newport, Isle of Wight, for Amendment of the Act 10th George 4th:—By Mr. HUNT, from the Cotton Spinners of Preston, in favour of the Bill for Limiting the Labour of Children in Factories.

LABOUR OF CHILDREN IN FACTORIES.] Mr. *Strickland* presented Petitions from persons employed in the woollen manufactures, and from 5,000 of the inhabitants of Halifax, in favour of the proposed Bill for limiting the labour of children employed in mills and factories. The petitioners stated, that the present system of labour by children was carried to such an extent as to be totally destructive to their health, happiness, and morals. He would not attempt to harrow up the feelings of the House by detailing the sorrows and distresses to which these children had been long subject. These would be fully explained, when they were called upon to discuss the Bill to which this petition referred; and he would content himself on the present occasion by asking whether any man of common sense and humanity could endure to hear it stated, without feeling himself called on to remedy it, that unhappy children were closely confined at work thirteen or fourteen hours consecutively, without obtaining time to take that food and rest which nature required. He was, however, happy to think that this evil could be remedied without the limitation of the hours of labour being injurious to the manufacturer. The Bill that his hon. friend was to bring forward, would tend to revive that kindly feeling between the master and operative which was in danger of being totally destroyed, if some measure was not introduced to protect the children of the latter, combinations would be formed among the workmen for their own protection, and the most serious consequences would ensue to the peace and welfare of the manufacturing districts.

Mr. *John Wood* said, he perfectly concurred in the necessity and policy of the House interfering to protect those who were unable to protect themselves; but, at the same time, he wished that the Bill should be referred to a Select Committee where all parties could be heard, and the House could legislate on its report without having their feelings wrought on by the detail of sufferings, which might be brought forward by those hon. Members who advocated the Bill.

Mr. *Hunt* said, the petitioners felt the evils which other people only talked about, and their prayer was, that the House would pass the Bill forthwith without any further reference to the proceedings of a Select Committee.

Mr. *O'Connell* feared, from what he had heard, that those persons expected hereafter to receive their present full wages, for the comparatively few hours during which it was intended they should henceforth work. This no doubt was an erroneous supposition, which ought not to remain uncontradicted, for it was evident the masters could only pay for the work actually done, and he had, therefore, felt it proper to make this observation with a view to remove such an impression. He hoped, consequently, that hon. Members would do all in their power to prevent the extension of an opinion which was so much at variance with all equity or fairness.

Mr. *Benett* observed, if they were to realize the expectations of these persons, the consequence would be a pecuniary loss to the manufacturers in some respects; but it would be a great gain to them in others; and he agreed with the hon. member for Preston, (Mr. Hunt) that it was not right that the delay of a Select Committee should be interposed, while the severity of the work of these children was continued with all its attendant cruelty. He, really, could not suppose that any pecuniary loss of the manufacturers was to be put in competition with the sacrifice of the health and morals of these children.

Mr. *Strickland* begged to state, in answer to the observations of the hon. and learned member for Kerry, that he had had various communications with the operatives upon the subject, and had informed them that they must not expect to receive the same wages as they now did, if their hours of working were reduced. He was bound to add, that these persons had done themselves very great credit by the manner in which they had received this intimation; their only feeling had been this: "We submit to what may be proposed, only protect our children." As to the propriety of this subject being again sent to a Select Committee, if the hon. member for Preston (Mr. Wood) thought that any important or essential benefit could be derived from, perhaps, the two years' labour of a Committee, he was then bound to show that there were good reasons for adopting such a course. But he was quite persuaded, that if hon. Mem bers would take the trouble of referring to the mass of evidence which had already been obtained, they would be convinced that any alterations which it might be necessary to make in the Bill, could be done as readily by a Committee of the whole House, as by a Select Committee up-stairs.

Mr. *Sadler* begged to remark, as the hon. and learned Gentleman had adverted to a misapprehension under which he apprehended these persons labour, that there existed nothing of the kind. There was one thing which they hoped would never occur, namely, a lower rate of wages than what they now received. It was possible that in future this rate of wages might be lower; but he knew they would prefer that reduced compensation, and readily submit to that loss, rather than their children should be over-worked and destroyed as at present; but he had yet to learn when the system of over-working children was given up, that the employer's profits were to be necessarily diminished. He was rather disposed to think that there might be a doubt, whether, by following up a humane enactment to restrict the hours of work, it might not add to the profits of the most extensive manufacturers. But, he would not enter into the subject further than to observe, that he had been before numerous meetings, some of them attended by 20,000 individuals, when the question had been broadly put to them—namely, "will you consent to a diminution of wages?" The unanimous reply was, that they would abide by the provisions of any legislative enactment which should remove the present evils. They declared, at the same time, that they would overlook all pecuniary considerations, rather than sacrifice (as had been sacrificed in but too many instances) the existence of their children. There was no doubt that these persons had thought and reflected a great deal on this subject, and that they were justified in demanding an improvement in the law.

Mr. *Hume* said, the hon. Member spoke as if no other person but himself had any regard to the interests of humanity. He appeared to dread the suggestion of the hon. member for Preston, who said, "Do not decide too hastily, in a matter in which the whole of the manufacturing interest of the country is concerned, but refer it to a Select Committee upstairs." It was to be recollected that the proposed Bill was not of the same character with former ones, for it included in its operation, all manufactories; and would any man say, that all manufactures were equally unhealthy? Or that all mills ought to be placed under the same regulations with respect to the hours of work? When the hon. Member talked about wages, and asked whether they were to be lowered, he forgot that this question involved the consideration whether these people could obtain any wages at all. He had received letters from various persons upon this subject, which proved that the most extensive inquiry ought to be instituted. These opinions were held by persons as much disposed to attend to the calls of humanity as any other individuals whatever. He saw many serious objections to the limitation of the ages of persons engaged in certain employments about mills, and he must therefore entreat the attention of Government to this subject. The House must be, however, aware of the intense anxiety which pervaded the country upon the subject. If they attempted to legislate hastily, the consequence would be, applications out of number would be made, and an immense deal of time would be taken up in fruitless discussions. The best way to consult the interests of humanity was to send this Bill into a Committee, where the question could be properly discussed. He would yield to no man in the desire to see the morals and health of children properly attended to, but they were not justified in hearing only one side of the question; the suggestion of the hon. member for Preston deserved therefore the attention of the House.

Mr. *Benett* denied, that the manufacturing interest of this country was likely to be destroyed by interference in this case. These helpless children possessed a title to reckon upon their especial care; and it must be also remembered that adults would not work so many hours a day as these poor children were compelled to do. The hardship of young children standing at work for eight hours together without any intermission was intolerable. It was in vain to talk of the parents of these children being content to allow of such a system,—they had no power in the case. Was it to be conceived that any parents could tolerate their children being worked for unlimited hours, and employed in a manner wholly destructive of their health if they could prevent it? He was quite certain, too, that the masters who employed these children did not wish to be instrumental in the destruction of a portion of the younger part of the human race. There was, however, an excessive competition, with a fatal necessity for them to procure as much work for as little money as possible, which the proposed measure might do away. If, indeed, the manufactures of the kingdom could only be supported by means which were opposed to every principle of humanity, then they had better be done away with altogether. He had no objection to the matter being referred to a Select Committee, if any fair ground could be shewn for such a proceeding.

Mr. *O'Connell* presumed that the delusion to which he had before adverted existed, for the hon. Member had thrown out a sort of opinion that wages should not be lowered; and he seemed to infer that though the hours of labour were to be diminished, the same wages ought to be given. But it was clearly absurd to expect that the same wages would be given for eight hours work, as was given for sixteen. He was decidedly in favour of the principle of the Bill; but he wished it to be perfectly understood, that the wages for a diminished term of labour could only be paid for at the same rate, by the hour or piece, as was now given.

Mr. *Robinson* remarked, when it was asserted that parents had no power to protect their children, it only showed they were suffering from those overwhelming difficulties under which the whole commonalty were suffering, and he feared that no legislative provision to limit the hours of labour would reach the extremity of the evil, but the proposed Bill was a measure of humanity, and it should therefore have his support.

Mr. *Dixon* said, there was a clause in the Bill, which enacted, that no person under twenty-one years of age should be allowed to work during certain hours of the night; that would have the effect of preventing competition, and the consequences would be to throw many young men out of employment at that particular time of life when they were best able to labour. They would probably then acquire bad habits, which would continue the remainder of their lives. He thought it was evident this provision required alteration, and he trusted, therefore, the Bill would be referred to a Select Committee.

Mr. Alderman *Waithman* agreed with the hon. Member, that such a provision in the Bill must be modified; he was favourable to the intention of limiting the hours of working children, but to them only the operation of the Bill ought to be confined.

Mr. *Hunt* allowed, that lads of eighteen were competent to take care of themselves, and that no enactment was required in their behalf, but the case was different with children. No wholesomeness of employment could make up for the cruelty of compelling children under ten years of age, to work twelve or thirteen hours without intermission.

Petition to be printed.

Manchester Meeting, 1832.] Mr. *Hunt* presented a Petition from Nathan Broadhurst and Edward Curran, who had been arrested, and were now in custody, for having attended a public meeting at Manchester, held on a Sunday, to petition the King to remit the punishment of the men sentenced to death at Nottingham. As persons in higher rank were in the habit of meeting on Sunday, and as his Majesty's Privy Council was even in the habit of assembling for the despatch of business on Sundays, he was at a loss to know how the Meeting of the petitioners on that day of the week—the only one which they had at their own disposal—could be considered as an offence. These individuals were attending to be called as witnesses on a trial which he had instituted against a public journal for an atrocious libel on him, when they were arrested in Court and conveyed to prison. He thought that the petition demanded the particular attention of the Government.

Lord *Althorp* said, that, as the petitioners had been apprehended, and would be tried in due course of law, he could not think that the Government or the House would be warranted in interfering in their case.

Mr. *Hunt* said, that was small satisfaction to two poor men who stated their only offence to be attending a meeting on a Sunday. Who was to pay them for their loss of time, or how could they obtain redress, if they were acquitted of the charges preferred against them?

Mr. *O'Connell* said, if these persons were committed for trial, they would be entitled to a copy of the warrant for their committal. The charge preferred against them must appear on the face of that document; he, therefore, could hardly believe it possible they could have been committed merely for meeting on a Sunday, if that was the only charge they would be acquitted of course.

Petition to lie on the Table.

Affair at Manchester, 1819.] Lord *Althorp* said that, since he had been a Member of the House, he had always considered it to be his duty never to refuse to present any petition of a respectable character which might be placed in his hands. Acting upon that principle, he had now to present one, in the prayer of which he could not concur. The language in which the petitioners expressed their wishes was undoubtedly, in many passages, very strong, though not stronger, he believed, than the terms in which the House had on many occasions allowed itself to be addressed. One of the passages was, "They have heard with horror and indignation that Mr. Hulton, of Hulton, who was one of the Magistrates in August, 1819, has, in some correspondence which has been printed, spoken of the frightful deeds done at Manchester as meritorious, and even dared to threaten the town with similar occurrences." Whether such a petition should be printed, was, of course, a matter of discretion with the House. It certainly was not his intention to make any motion to that effect himself. The petition was agreed to at a meeting held at Cropper-street, Manchester, but it bore only the signature of Mr. Samuel Hewett, the Chairman. Its object was, to pray that an inquiry might be instituted into the proceedings which occurred at Manchester in August, 1819, when the lives of many individuals were lost. With that prayer he could not concur. At this distance of time he believed that further inquiry into that unfortunate circumstance would serve only to rake up and renew old feelings of political animosity, without affording the means of promoting the ends of justice; therefore, although he had moved for inquiry shortly after the circumstance had occurred, he hoped he should not be considered inconsistent if he were opposed to it after a lapse of twelve years.

Mr. *John Wood* said, that he had heard the remarks made by the noble Lord with very considerable pain. He knew that a great proportion of the most respectable inhabitants of Lancashire felt that some inquiry ought to be instituted. The blood shed on that day ought not to be forgotten until it was atoned for. As no inquiry had taken place at the time, he could not regard it as an unreasonable request that some investigation should be made now, when the sentiments of so many persons continued to be so strongly directed to the subject, and an opinion prevailed that injustice had triumphed. It was never too late to do justice. The public attention had been recently excited on the subject by a correspondence which had been published, by which it appeared that some of the actors in the fatal and disgraceful transaction of August, 1819, yet dared to avow the part which they had taken in it. What wonder, then, that the feelings of the friends of the dead should be aroused? The noble Lord seemed to apprehend that evidence could not be procured to make out a case, but he knew many individuals who were prepared to substantiate most important facts relating to that transaction. He felt strongly on the subject, for he had formerly been one of those persons who had endeavoured to bring the conduct of the Magistrates before a Jury of their countrymen. He gave his strenuous support, therefore, to the prayer of the petition.

Mr. *Hunt* agreed with his hon. colleague, that there was no reason why the subject should not now be inquired into. It was one which rankled to this day in the breast of the people of Manchester. That the affair had occurred twelve years ago was no answer to the demand for inquiry. Governor Wall had been executed for murder twenty years after the commission of the crime. Until the matter had been investigated, he would never call what had occurred at Manchester anything less than a cool, deliberate murder. Let there be an inquiry, and let it be shown that the authorities were not to blame, and he would never open his lips again on the subject. He would engage to procure ample evidence, if an opportunity was afforded, of instituting an impartial inquiry. There would never be peace and contentment in the manufacturing districts until satisfaction was obtained. To call the attention of the House to the subject, was, he believed, one of the principal reasons of his having been sent there by his constituents.

Mr. *Hume* said, if the law placed no limit on the time at which a single murder might be inquired into, there ought not to be any limit to the time at which wholesale murder might be prosecuted. To stifle inquiry, when it was said, that it could be proved that murder had been committed, was to aid the injustice of those who were implicated. He remembered, as if it were but yesterday, the means which were adopted to prevent the bringing forward of evidence at the inquests on the occasion in question. He was satisfied that, in the future history of this country, the Oldham inquest would always be considered as a most disgraceful transaction. It appeared to him also, from the correspondence recently printed in the newspapers, that Mr. Hulton triumphed in the proceedings of that day—proceedings which ought to call up none but painful recollections. He trusted that the noble Lord would alter his mind, and would allow an inquiry to take place at the present period, when there was comparatively little excitement. If inquiry was prevented by the exercise of power at the time, it was monstrous to refuse inquiry when an opportunity offered for prosecuting it without impediment. Inquiry was desirable, were it only to impress upon the minds of persons in authority, that, however long a period might elapse after the commission of an offence, their conduct would not escape investigation.

Lord *Milton* would have been very glad if the subject could have been effaced from the minds of the people of Manchester; but he was not surprised that it was not so, and that those whose relations and friends fell on the day in question, should preserve a vivid remembrance of the fact. He regretted the revival of the subject, but he was far from saying that his mind was made up against inquiry; for of this he was persuaded, that if ever there was an occurrence calculated to effect a separation of the lower classes of the community from the higher, the conduct of the Magistrates at Manchester at the period in question, and the conduct of the House of Commons afterwards, had that tendency.

Petition to lie on the Table.

HERTFORD ADDRESS TO THE KING.] Lord Althorp had moved the Order of the Day for going into Committee on the Reform Bill, when

Mr. *Duncombe* rose, and begged to apologize to the House for delaying them from at once proceeding to the Order of the Day; but he had to represent to that House a grievance of a very serious kind, which had been sustained by a number of his Majesty's subjects. He had given notice of his intention to present a petition on the subject, but the time of the evening had passed at which he could do so. If the petition had been only a petition in favour of the Reform Bill, he would not have trespassed upon the attention of the House by any observations respecting it, but it was one of a more extensive nature. It related to an address purporting to be from the county of Hertford, and which had been carried down to Brighton with great pomp and ceremony, and presented to his Majesty by two noble individuals—Lords Salisbury and Verulam. That address was doubly insulting, as it was a gross fraud both on his Majesty and the county. He could, if he pleased, speak of the bribes and threats which had been used in order to procure signatures to it; but he would for the present merely refer to what the petitioners on whose behalf he spoke, had said. The petitioners then stated, that last year they had addressed his Majesty in favour of Reform, and that this year another address to the King had been circulated amongst them, and sent to their houses, through one Andrewes, an Attorney, which address congratulated the King on the rejection of the Reform Bill, and thanked his Majesty for not having made Peers to ensure that object. This Andrewes, however, had represented it to the petitioners as an address to his Majesty to pass the Reform Bill, and for a repeal of the assessed taxes. The petitioners further stated, that they were most anxious for the passing of the Reform Bill; that there had been no change in their minds; and that if they were to express any opinion with respect to his Majesty's prerogative, it would be, that it could not be better exercised than in forwarding the Reform Bill now before the House. This was what the petition stated, and he would now, with the permission of the House, shortly advert to the address into which the petitioners had been entrapped. The address bore the usual commencement of Anti-reform documents, and it pretended to come from the nobility, gentry, and clergy of the county of Hertford. It began with the usual jargon of the Anti-reformers calling the Bill a revolutionary measure, and denouncing political unions. To this part of it in particular the petitioners expressly objected, namely, where it stated, "that they offered their humble thanks to his Majesty for resisting the creation of new Peers, for the purpose of passing the Reform Bill, thereby annihilating"—mark this—"that House, and utterly destroying, by such an exercise of the royal prerogative, that happy balance under which this country had so long flourished." "Yes," said the hon. Member, "so long flourished, and finely, indeed, we had flourished!" This was the deception the petitioners complained of, and though the country might have flourished with and for the few real addressers, he would ask, were these few individuals to tell the King not to exercise his prerogative? Were they to ask the King to refuse the creation of new Peers, when the whole country was asking for it? He would beg to ask the Gentlemen opposite, who cheered, whether they would presume to say this would not be a constitutional exercise of the King's prerogative, when it was for the country's welfare; or whether they meant it would only be exercised constitutionally, when it was for the benefit of them and their circle? If this was their opinion, much as he respected some of them in private life, he must nevertheless say, that he looked upon Blackstone and Locke as higher constitutional authorities than the Marquis of Salisbury and Lord Verulam; and believing, that without it the Peers would reject the Bill, he earnestly hoped that his Majesty would exercise his prerogative for the good of the country, and make as many Peers as were necessary for that object. There was precedent for it in the reign of Queen Anne, as advised by the Earl of Oxford. Perhaps he might be told, that Lord Oxford was impeached. But what became of that impeachment? That which must be the fate of all impeachments proceeding from factious motives—Lord Oxford was honourably and unanimously acquitted. In the reign of George 1st, a bill had been brought in to limit the number of Peers. Thank God, that bill was rejected; and now the country would experience the benefit of the rejection. In the address of which the petitioners justly complained, it was stated that "the King had magnanimously withstood the pressing solicitations of his Ministers to create Peers." He (Mr. Duncombe) most emphatically denied that such was the fact. His assertion was at least as good as that of the address, and would, in the sequel, be found to be more correct than hon. Members who cried "Oh" were willing to believe. He repeated that his Majesty had not withstood the opinions of his responsible advisers, that it was necessary to create Peers, for he had armed his Ministers with power to carry into full efficiency the national measure of Reform. And he would tell those Ministers, if they did not exercise that power with prompt energy, they would justly incur the indignation of the country, and deserve impeachment. He had no doubt, however, that, knowing the serious responsibility to which they would otherwise subject themselves, Ministers would do their duty, notwithstanding the pomp and dignity with which the address was presented by Lords Salisbury and Verulam to the King at Brighton—the one noble Lord, he presumed, being necessary to the presentation of the petition, and the other to the expounding its strange doctrines—the petitioners were ready to prove, at the Bar of that House, that never was there a more gross attempt to deceive his Majesty and the public as to the feelings of the county of Hertford in reference to Reform, than the address to which their signatures were fraudulently obtained.

Mr. *Mackinnon* was not acquainted with the noble Marquis whom the hon. Member had just gone out of his way to asperse; and he was persuaded the House would not take their estimate of that nobleman's character from the representations of the hon. Gentleman; but it so happened that he was acquainted with some facts connected with the petition from Hertford, which he begged leave to state to the House, as they completely exonerated Lord Salisbury from any participation in the conduct complained of. The hon. Member said, that the address was couched "in the usual jargon of the Anti-reformers;" but he would tell the hon. Member, in return to that remark, that the "usual jargon" of the advocates of the Reform Bill was to abuse, and, if possible, intimidate every nobleman, gentleman, and other respectable individuals who had the manliness to state his opinions. In order to exculpate the respectable solicitor whose name had been mentioned, he would read a letter which he had that day received from that Gentleman, whose character would bear the strictest investigation; and that letter would show that neither Lord Salisbury nor Mr. Andrewes was liable to the imputations which had been cast upon them. The letter was as follows:—

"My dear Sir,—Mr. Duncombe, the member for Hertford, has given notice of his intention to present, this evening, a petition from certain freeholders of Herts, in favour of the Reform Bill and complaining that their signatures were fraudulently obtained to an address lately presented to his Majesty against Reform and a creation of Peers. I understand that I am one of the persons said to have improperly obtained signatures (at Barnet), and I shall feel much obliged by your making the following statement to the House of Commons on the presentation of such petition. Some short time since I procured signatures at Barnet to an Address to his Majesty, against Political Unions, for a constitutional Reform, and against the creation of new Peers. Several persons signed the Address. Six of them—namely, Mereweather, an ironmonger; Rolph, a baker: Thimbleby, a pawnbroker; Salmon, a coach master; Weslake, a watch maker; and Mr. Thomas Sears, a butcher—have now, at the instance of a person of the name of Dell, signed a paper, stating that I deceived them as to the purport of the Address, and told them that it was to get the Assessed Taxes taken off. Now, I do most solemnly declare (and am ready to do so upon oath), that I distinctly acquainted the five first named persons with the real nature and purport of the Address; and that I never mentioned or alluded to the Assessed Taxes in my interview with those persons. With respect to Mr. Sears, the following circumstances occurred:—Mr. Sears is almost a next-door neighbour, and a very excellent client and well-wisher of mine. I called upon him with the Address, and, in joke, asked him, if he would like the Assessed Taxes taken off. I then asked him to sign the parchment which I had in my hand. He was about to do so, when I told him he had better read it. He replied, that 'He didn't care what it was, that he would sign any-thing, and particularly if it was to hang the lawyers.' Mr. Sears will state that what passed in regard to the Assessed Taxes, was in joke, and not for the purpose of deceiving him. Dell is a political enthusiast; and has, from his assailing, jeering, and annoying the six mentioned individuals, and taking advantage of the occurrence with Sears, obtained their signatures to the paper repudiating the address. I can prove, by the testimony of a respectable person, that one of the six persons who now states he was deceived, actually acknowledged that he had read part of the address; and I beg to hand you testimonials from several highly respectable individuals of the town and vicinity in which I reside, as to the respectability of my character, and stating that they do not believe I would be guilty of any act derogatory to the character of a man of honour and a gentleman. Had I been aware a few hours sooner of this matter being brought forward, I would have procured testimonials from every gentleman in the neighbourhood, which, I am confident, they would have readily given to me. I remain, my dear Sir, your very obedient humble servant,

"AUGUSTUS THOS. ANDREWES."

"To W. A. Mackinnon, Esq."

In corroboration of this letter, he held in his hand a testimonial to the excellence of Mr. Andrewes's character, signed by from twenty-five to thirty of the most respectable gentlemen in Hertford. But Mr. Andrewes's vindication did not rest on this alone. There was a letter from the very individual, Sears, who now complained of him, and who, he might observe, cared nothing about Reform, and who feigned a zeal for it, because the hon. member for Middlesex (Byng) was one of his employers, in which Sears states—"It is true, when you requested me to sign the Address to the King, you did not explain to me its purport; at the same time, I am free to admit, that when you mentioned the Assessed Taxes, you did it jocosely, and without any intention to deceiving me. I might have read the Address, but I declined doing so." These letters, he took it, abundantly disproved the hon. Member's statement, founded on the complaint of Messrs. Sears and Co. The truth was, these persons cared very little about the Reform Bill, while the intelligence and property of the county of Hertford were decidedly opposed to it.

Mr. Currie only wished to bear his testimony to the respectability of the petitioners.

Lord *Stormont* said, that those who vented their tirades against the opponents of the Bill, for causing delay, must admit, that, in this, as in several other instances, they were themselves the great offenders on that point. It appeared to him most ridiculous, that the hon. Member should present a petition from a man who acknowledged he had signed a petition which he had never read. Had the petitioners read the petition which they now presented? As to the charge against Mr. Andrewes, of going from house to house to obtain signatures to an address under false pretences—it was perfectly incredible. A more respectable gentleman could not be found; he was well acquainted with him, and could take it upon him to say, that a more respectable man did not belong to his profession. That gentleman was ready to meet the hon. member for Hertford at the Bar of that House, and to bring forward evidence which would completely destroy the hon. Gentleman's statement. The fact was, the petition on which that statement was founded, was got up by a person named Dell. Its allegations had, however, been so completely disproved by the letter just read by the hon. member for Lymington, that he need not dwell upon them. The statement of Mr. Sear showed that there was no intention to deceive on the part of Mr. Andrewes. He had never said that the address was for the repeal of the Assessed Taxes; but had only asked jocosely if Mr. Sear would like to see them repealed. It was really a very unusual course for that House to enter into any discussion respecting an Address to the King. It was a matter of which it had no cognizance. The motive, in the present instance, was the impression which the Address had made, not only on the country, but in a very high quarter. It had been received by the King with a condescension which would not have been shown had it contained anything disrespectful to the Sovereign. He would only add, that a petition less entitled to credit, or more despicable, as considered with reference either to its motives, or to the individuals from whom it had proceeded, had never been brought under the consideration of the House.

Mr. *Byng*, in answer to the assertion made by the hon. member for Lymington, that the intelligence, property, and majority of the inhabitants of Hertford, were opposed to the Reform Bill, could take it upon him to state, that few freeholders or inhabitants of that county would willingly sign a petition against that Bill. He was persuaded not one in twenty were opposed to it generally. He knew that was the case in that district of the county in which Barnet was situated. With respect to the petitioner, Sears, of whom mention had been made, he thought it right to state, that, according to that person's version of the interview between him and Andrewes, the conduct of the latter was not altogether *sans reproche*. Sears told him, that as he was in his shop on a Saturday, busy attending to his customers, Andrewes came in, and exclaimed, "Pray, Sears, do you wish to see the Assessed Taxes repealed?" "Oh, certainly," answered Sears, "by all means." "Then you have only to put your name to this petition, which, however, you had better read first." To this Sears replied, "I am now, as you see, very busy, and cannot spare time to read the paper; but I am sure you would not deceive me as to its import, and therefore I'll sign it at once." Another of the petitioners, Mr. Westlake, a watch-maker, told him that Andrewes played the same trick with him.

Mr. *Mackinnon* was sure the House would see, that Sears's own letter was a direct contradiction to the statement just made by the hon. member for Middlesex.

Sir *Charles Wetherell* was sure that the House could not have a second opinion as to the object of the present discussion. He must say, without meaning the slightest disrespect to the hon. member for Hertford, that this was one of the most extraordinary petitions that had ever been introduced to the notice of the House. Indeed it could not have been admitted at all, if the individuals from whom it proceeded had not contrived to insert a few words in it on the subject of Reform. Availing themselves of that stratagem, they had endeavoured to cast obloquy on two of the most respectable men in the country—Lord Verulam and Lord Salisbury. Further, it was also perfectly evident that the *litera scripti* of Sears, the reforming butcher, was a complete refutation of his statement to the hon. member for Middlesex. With respect to what had fallen from the hon. member for Hertford, in reference to the policy of forcing the Reform Bill through the House of Lords by a *coup de main* creation of Peers, he should shortly have occasion to state his views of the subject to the House, having an important motion with respect to Peerage creations on the Order List, and would endeavour to show that such a creation would be as illegal as it would be unconstitutional, and destructive of the legislative independence of the House of Lords. Lord Oxford's creation of Peers, and subsequent impeachment, did not apply to the present case. The House of Lords at that time was equally divided, and, therefore, required only a casting voice to give a majority on the measure which that Minister was anxious to carry, and had not pledged itself by a vote; but, in the present instance, a large majority had recorded its emphatic rejection of the revolutionary Bill of the Whig Cabinet of 1831. It was not his intention to raise any objection to the reception of the petition, but this he did not hesitate to affirm, it had been brought forward principally for the purpose of casting a stigma upon two noblemen of unimpeachable honour and unbending integrity.

The Marquis of *Chandos* bore testimony to the good character of the gentleman (Mr. Andrewes) to whom the hon. member for Hertford had made what he considered rather a discourteous allusion. The individual whose name had been somewhat invidiously introduced, had resided for a considerable period in Buckinghamshire, and from his knowledge of his character he could undertake to say, that he would be entirely incapable of the dishonourable conduct ascribed to him.

An. *Hon. Member* said, there were other individuals who had been imposed upon in a belief that they were signing a petition against the Assessed Taxes, besides those whose names had been mentioned. He held in his hand a letter from a person of the name of Willatt, couched in these terms, "Mr. Andrewes applied to me to sign an Address to his Majesty; being very much engaged in business, I entirely forgot to read it at the time, but I was told by that gentleman, that it prayed the House of Commons to pass the Reform

Bill into a law without delay." The only ground on which the House was called upon to doubt the assertions of the petitioners was, that the character of Mr. Andrewes was above suspicion, but here was another statement of a respectable individual opposed to his, and the balance of testimony was certainly against him. But, to leave that part of the question, he must observe, that it was high time for Ministers to advise the King to exercise his royal prerogative by an immediate creation of such a number of Peers as might be found necessary. This constitutional power was happily vested in the Crown for the security of the public peace, and the prevention of a dangerous collision between the two Houses of Parliament.

Mr. *Croker* did not rise to offer any observations on the latter part of the speech of the hon. Gentleman, although the advice he had given could not but come with great weight from an individual whom, he had no doubt, the Government held in very high esteem and respect. It was, however, something new, to hear such advice given by a Gentleman who stood in so peculiar a situation with respect to his Majesty's Ministers as the hon. Member; and it certainly did seem to him somewhat extraordinary that he should take upon himself to advise them, in such strong terms as he had used, with respect to the very highest and most important exercise of their Ministerial duty. He did not, however, rise for the purpose of entering into that part of the discussion. The argument, such as it was, had been so completely answered by his hon. friend, that it was perfectly unnecessary to dwell any longer upon the subject. It was, no doubt, a prerogative of the Crown to create Peers; but that, like every other prerogative which was given to the several Members of the Constitution, was liable to abuse, if it be pushed to a dangerous extent, or in furtherance of improper or unconstitutional, or mere temporary purposes. He asserted that there was no extremity to which the exercise of this prerogative could be carried, which would be so dangerous, or so unconstitutional, as the creation of Peers to an extent like that proposed, and with the direct object of overwhelming and overpowering the matured and well-considered opinions of a deliberative assembly, and of rendering it utterly subservient to a mob clamour. Supposing, in the course of political events—or, more correctly speaking, in the changing tide of public opinion—that, after the creation of these new Peers shall have been made, there should arise some new feeling, or some "re-action" in the public mind on this very question of Reform, which should coincide with that under which the Lords thought proper to reject the last Reform Bill; suppose that the House of Commons, under such an altered state of circumstances, should find itself again opposed, in opinion, to the other House of Parliament—enlarged, as that would be, by this infusion of a large body of new Peers—what would be the result? Why, the hon. Gentleman must see that it would be again necessary for the Ministers of the day to come down here and announce a new creation of Peers, in order to restore the House of Lords to its original state—to the tone and condition in which it was before this first experiment on increasing its numbers; and thus we should go on, from one majority to another, proceeding *ad infinitum*, until the House of Lords would itself become a mere subservient mob—losing all respect with the people—losing all that weight in the Constitution—and losing all that authority with public opinion, which at present they possess, and which they derive only from their peculiar situation, as possessing a wholesome, well-balanced, and independant power and control, which is exercised as between the Crown on the one hand, and the people, on the other. He contended, that if the principle were once laid down, that a majority should be created in the House of Lords with a view to carry any great Ministerial measure, for the success of which it might be required, the House of Lords would, in effect, be reduced to anything else but an independent legislative assembly. That House instead of being—as it always had been, and as he hoped and trusted it ever would be—the best and wisest check upon the Commons House of Parliament, would become neither more nor less than a nuisance, and would be the very worst instrument that a tyrannical Government could wield, in order to forward its own views of policy, or promote its own particular interests. The hon. Gentleman who spoke last read a letter, from which he inferred, that the statements of the petitioners were true. Now, that letter led him to a directly contrary inference, namely, that the statements of the petitioners were likely to be false; for if those gentlemen did, to one person, distinctly state that the petition was for Reform, and expressly for Reform, and procured the signature of the writer by that first application, was it to be believed that they did not pursue the same course in other instances? and the letter itself contained no statement of the kind alleged by the hon. Gentleman; the only allegation was, Mr. Andrewes talked about assessed taxes, and induced the petitioners to sign a petition, of the contents of which they were totally ignorant. This was all matter of inference, he admitted, but the letter had satisfied his mind, most decidedly, that if it went to prove anything at all, it went, *pro tanto*, to contradict what they had heard of the petition which was read by the hon. member for Hertford. It was true, that the petition presented by the hon. Member concluded by expressing the wish of the six petitioners for the adoption of a measure of Parliamentary Reform, and might be very properly received at the proper time as a petition for that object. But he must say, that it seemed to him rather singular, that the hon. Gentleman should have thought fit to offer this petition to the notice of the House, at a time when it could not, with propriety, be received; and he has raised thereby a debate, on the question of the Speaker leaving the Chair for the purpose of the House going into Committee on the Reform Bill. He must take the liberty of saying, that although part of the petition relating to Reform might be received at the proper season, the main body of it was most improperly, unnecessarily, and futilely addressed to this House, because it complained of the signatures of some persons being improperly obtained—not to an address to the House, but to an address to the Crown. The natural course to be adopted, therefore, by these petitioners, if they really wished to set themselves right, would have been to draw, up an address to his Majesty, and to have had it presented by the proper authorities (who, he had no doubt, would have carried it forward with great readiness, an application being made to them for that purpose). But was it matter of such extraordinary surprise, that four, five, or six persons should have signed a petition, either by accident or not, without knowing its contents? Why, there never was a petition, numerously signed, presented to the House, in which some such mistakes had not been made. An hon. Gentleman stated the other evening, with respect to a petition he presented, that there were signatures appended to it which were not those of any person who resided in the town; and was it not known to the House, that, in numerous instances of voluminous petitions, it had been discovered that there were hundreds of names in the same hand-writing, and, of course, all irregular or fictitious? yet no one pretended to say, that those great petitions did not contain the signatures of a large number of people entitled to the greatest weight and consideration, merely because some few names were less respectable, and, therefore, even granting to the hon. Gentleman, that there were some signatures to this petition which were not intended by the parties to be there, was that circumstance a sufficient reason for the severe comments made in this case? It was inevitable that mistakes of this kind must sometimes be made in large petitions, partly from the impossibility of explaining to so great a number of people the nature of all the details of the document they sign, and partly from the ignorance and negligence of the parties themselves, who sign petitions without making any inquiry as to what matters or allegations they contain. But it certainly seemed to him a most unusual and unfair mode of proceeding, that the very individuals who were guilty of this culpable carelessness, should be the parties to complain, and confessing themselves to be either very ignorant or very negligent, should erect themselves into censors on the conduct of their neighbours, and endeavour to throw upon other men's character, blame which really belonged to their own.

The *Hon. Member* who had already spoken, denied that he stood in any peculiar relation towards Government which should preclude his offering them any suggestions he thought proper.

Mr. *Croker* replied, that he had merely meant that it would have been more accordant with good taste, if so new a Member, and so very warm a friend of Government, had been less dictatorial and dogmatic in the expression of his sentiments on so important a subject.

The *Hon. Member* felt surprised that he should have been taken to task by the hon. member for Aldborough.

Mr. *Baring* deprecated the incidental discussion of a question of so much delicacy and importance, on the mere announcement that a petition was to be presented by an hon. Member.

Lord *Ebrington* objected to the course which hon. Gentlemen opposite had given to this debate, and quite agreed with the hon. member for Hertford as to the duty imposed on Ministers at a juncture like the present. An extensive creation of Peers—a larger creation than usual in amount—he freely allowed to be a dangerous proceeding, but the defeat of the measure of Reform was an evil of much greater magnitude, and, therefore, Ministers in his opinion, would not have been justified in bringing a Reform Bill again into that House, after one of a similar kind had already been defeated by the Peers, if they did not feel that they had power also to pass it through the House of Lords. He trusted they would exercise that power. He was not anxious to establish such a precedent, but when a measure had been brought forward with the approbation of the King, and with the good wishes of the people, and which had once passed that House by a great majority, he did feel that it ought not to be in any danger of being crushed a second time. He was certain that a creation would not only cause no danger of an impeachment of Ministers, but that it would be received with approbation and gratitude by the House of Commons. That approbation and that gratitude would likewise prevail out of doors, not with the mere mob and rabble, but amongst those who—he said it with all respect for that House—were as capable of forming sound opinions as any who then heard him.

Sir *Richard Vyvyan* wondered that the noble Lord, who talked so feelingly of the delays which desultory discussions by the Tories had opposed to the Reform Bill, that he, of all men, should have prolonged an irregular conversation like the present, on a petition from six individuals in Hertfordshire. The subject he believed in his conscience, had been thus needlessly obtruded upon them for no other purpose than to procure some strong expression of feeling on the question of the creation of Peers from those Members who were habitual supporters of the present Government. With respect to what had been stated as to Lord Oxford's impeachment, let the House bear in mind that the Peers which he had recommended to be created were created under a Tory Administration, and the impeachment was conducted by the Whigs, and that statesman admitted the act by the very terms of his plea to his impeachment, to have been a high crime and misdemeanour. He trusted also when this precedent was spoken of, that the Ministers who advised it would be remembered as an enemy to the succession of the House of Brunswick, and it was one of his objects by that creation to bring back the Pretender. The King, he allowed, could even double the House of Lords by his prerogative, but the responsibility for the undue or extreme exercise of that prerogative would rest on the heads of Ministers. When hon. Gentlemen advocated Peer-making, let them look to what had occurred on the other side of the channel. Let them look to what had taken place in France during the last two years, with reference to this very subject. Let hon. Gentlemen recollect that it might be necessary to turn out, as it were, the very Peers one year, who had been made in the preceding year. When Louis Phillippe came to the throne of France, it was found, that, unless the very peers who had been made but a very short time before by Villèle and his predecessors, were turned out, he could not carry on his Government for a single day. Accordingly, notwithstanding these peers had been made by the just and reasonable exercise of an undoubted prerogative of the Crown, they were turned out, and according to the new Constitution of 1830, ceased to be Peers of France. And yet the present Administration of that country was unable, only the other day, to carry a question in the French House of Peers, notwithstanding it had already pursued this extreme course; and soon afterwards the very same government created another batch of Peers, which batch of Peers produced a majority that actually decided against the existence of an hereditary Peerage in France altogether. Now could right hon. and hon. Gentlemen, who were looking up to the Peerage suppose that if such a change were to take place, their dignity would be permanent? Were they blind to the fact that, in the very year in which we were now debating, a case in point had occurred? Did they not know that the hereditary Peerage of France had been abolished by the votes of a batch of Peers made for the occasion?

This fact proved that when once the constitution of so great a branch as the House of Lords was touched, the checks were deranged which had been provided for the due regulation of the Legislature; and the prerogative of the Crown was endangered; and, at any rate they interfered with the proper balance of the Constitution. Be it remembered, by every Prince of the House of Brunswick that that very Administration which made the large batch of Peers, that had been cited in the nature of a precedent for their guidance, was more than suspected to be connected with a project that had for its object the exclusion from the succession to the Crown of England of that very family. Be it always remembered too, that some Members of Lord Oxford's Government were hostile to the interests of the House of Brunswick; and supposing it had happened, that, instead of the Members of that illustrious House, succeeding to the throne of these realms, the son of James 2nd, commonly called the Pretender, had succeeded Queen Anne (which, very probably, would have been his fortune, if those doctrines which were now advocated had been, at that time, acted upon to the fullest extent)—would not in such a case, the House of Brunswick at that moment, have been small Sovereigns in Germany instead of being placed on the throne of one of the greatest countries of the world? The question now before the House was of great importance. If it were introduced to the House of Commons, with a view of obtaining an expression of opinion, and of getting at the decided sentiments of the House on this subject, he would entreat the attention of all who heard him to an important historical fact. It would be recollected, that the first Prince of the House of Brunswick declared, through his Ministers, that he was willing to give up that prerogative; but his Ministers, instead of acting up to the principle which he himself had expressed his willingness to observe, came down to Parliament with a Bill, which did not simply give the King the power of making Peers, but gave him the power of altering the Scotch Peerage—of nominating a certain number of Scotch noblemen to the hereditary Peerage. On that ground it was, that the Bill was lost. If the House was to discuss a subject of this importance, let it be done fairly. Let a regular notice be given and let it come properly under consideration, but let it not be introduced incidentally, as it had been to-night, in the course of the observations which the hon. member for Hertford so eloquently addressed to the House, and which he had no doubt the hon. Member intended should answer another purpose besides convincing that House.

Mr. *O'Connell* said, that the hon. Baronet had begun and ended his speech by accusing his hon. friend and the Ministers of making an experiment to ascertain the sense of the House respecting the creation of Peers. But there was no occasion to do so, as the sentiments of the nation had been expressed at every public meeting that had been held lately throughout the country. If ever there was a period when the King's Prerogative ought to be exercised, it was at this moment. The House of Commons ought to be composed of the Representatives of the people; but the House of Lords had usurped the rights of the people, and sent Representatives of their own into that House. The King and the people were opposed to this usurpation, and the King was willing that the wish of the people for the abolition of this usurpation should take effect; but then, said some hon. Members, that would be a violation of the Constitution. It was fine indeed to hear hon. Members talk of a violation of the Constitution, when they themselves would not be Members of that House, but for a violation of the Constitution. The King was willing to assist in restoring the rights of his people, and the House of Commons joined in the wish; but the House of Lords interposed to prevent that. How was the difference between the two Houses to be reconciled? Not by force, not by violence. How then, but by the exercise of the Royal prerogative which would enable the people to succeed in destroying the present unconstitutional system of nomination. It had been said, that Ministers had the power to advise that exercise of the Royal prerogative. He almost began to doubt that, for he looked at *The Gazette*, day by day, to try whether he could see but one of *The Gazettes* with twenty-five new Peers for a beginning. If the people only saw that, they would be satisfied that the question was set at rest; they would return to their business or speculations; trade would revive; and many of the present complaints about distress would cease. He knew that a little talk would be made of the matter in that House and elsewhere, but it would be well received all over the kingdom. An army never looked for the appearance of *The Gazette* with more anxiety than did the people at that moment. Thirty might be made in the first place. He thought that, probably the making of them would be sufficient, but if it was not—if there were, as they had been threatened, sixty-one still determined to withhold the rights of the people, why, let one hundred and twenty-two be made, and be secure. They were told, that that was making Peers for party purposes. Why, there had been the Tories for the last sixty years making Peers for party purposes. How many had got into the House of Lords in that time, in consequence of having been able to usurp the elective rights of a borough? and, taking them altogether, how many had got in there for being serviceable to the Tories against the people—how many more than for other sorts of service? Considering that, he did not think there could be any valid objection to introduce a few now, to be of service to the people.

Sir *Robert Peel* said, that all this discussion had arisen out of a combination of worthy Gentlemen, who had signed a petition they had never read, and who, in consequence of doing so, had provoked a discussion on all the mysteries and *arcana* of Peer-making, which would postpone, for some small portion of the evening, the discussion of the Reform Bill. What he rose to protest against was, that these persons who had signed this petition without reading it, and who had thus unnecessarily introduced a debate, should still take it on themselves to press the House not to allow of further delay in the discussion of the Bill. The delay was not with them; it was with those persons who caused these unnecessary discussions, and he humbly expostulated with Messrs. Sears, Weslake, and Thimbleby against such uncalled-for proceedings. He hoped, after this, that the noble Lord would not think of calling upon them to sit upon Saturday. He should not say anything at present on the other part of the question; he would not assume the possibility of a Whig Government overpowering in this way the sense of the House of Peers; he should wait till he saw that attempt made, before he said a word upon it; but if Peers were to be created for the purpose, he must say, that he thought the six petitioners had as good a right to be selected for the honours of *The Gazette* as any other. The hon. and learned Member for Kerry said, that week by week he had examined *The Gazette*, to see the announcement of the new creations. If this violence should be done to the Constitution, he hoped that the same *Gazette* which contained the 122 Peers desired by the hon. and learned Member, would include among the numbers the name of Baron Thimbleby, of Barnet.

Mr. *Hunt* said, that whether forty new Peers, as some said, or sixty as some required, or 122, according to the hon. and learned member for Kerry, were created, he cared not, so that the thing was done, for the people were tired of hearing of Reform. He did not say that the people did not want some Reform—he believed they did; but they were tired of hearing of this Reform day after day, in this way. He must solemnly say that it was the common sense of the thing, that if they made it a precedent to create a number of Peers to carry what they considered a good and constitutional measure, it would be used against them as a precedent for carrying an unconstitutional measure.

Sir *Andrew Agnew* was anxious to say a few words in consequence of the remark made by the noble Lord the member for Devonshire, who had assumed that all the Members in that House who supported Reform, were desirous to see a creation of Peers. He must, therefore, guard himself against being supposed to be one of that number. He had supported the principle of Reform hitherto, because he thought Reform in that House was necessary; but if, as the hon. and learned member for Kerry said, 122 Peers were to be created to make a majority in the House of Lords on this particular question, he should cease to support Reform. He had supported Reform upon principle, as he wished to bring that House back to the principle of the Constitution; but he wished, at the same time, to maintain the principle of the other House, and he should not, therefore, give his support to an Act that would so far put an end to the Constitution as to destroy the union of Kings, Lords, and Commons.

Mr. *Currie* was ignorant to what class of the people the hon. member for Preston had alluded, when he said they were indifferent to Reform. He could undertake to say, that the electors of Hertford were as anxious for it as ever.

Mr. *Cressett Pelham* said, they had

heard a good deal upon this occasion, as well as many others, upon the supposed influence exercised by the House of Lords in that House, but he trusted their interference was not always odious in the eyes of hon. Gentlemen on the other side, when they considered that the Septennial Bill originated in the other House, and was brought forward by the Whigs. With regard to nominees, he believed they possessed their full share of influence in that respect.

Mr. *James* wished to take that opportunity of saying, that, as far as his knowledge went, the people were far from being indifferent on the question of Reform. Indeed, he believed they were fully as anxious as ever about it. He had that day received a letter from his constituents, who, in public meeting assembled, had called him pretty sharply to account, because he had been absent on one occasion from a division. That did not look like indifference to Reform; at least there was no symptom of it at Carlisle. An hon. Baronet had said, that he was in favour of Reform, and had hitherto supported it, but that if Peers were made to carry the Reform Bill, he should support it no longer. That declaration amounted to this—that the hon. Baronet was in favour of Reform, when it was not likely to be carried, but no longer: he ceased to be in its favour when it was likely to be carried. He himself hoped that the Peers might be made: he believed that the peace and safety of the country depended on the measure. The hon. member for Preston had said, that if Peers were created on this, a good occasion, it would be a precedent for their creation on a bad occasion. He thought that was not likely, for a future Minister could not make Peers to carry a bad measure, since the House of Commons would not pass a bad measure at his desire.

Mr. *Hunt* explained: He had not said that the people were not for Reform, but that they were sick and tired of hearing of this Reform, and desired to have the Bill passed that they might think of something else.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—TENTH DAY.] The House went into Committee on the Reform of Parliament (England) Bill: Mr. Bernal in the Chair.

Clauses 38 and 39 agreed to.

On the 40th Clause being put, which empowers Judges of Assize to name Barristers to revise the list of county voters,

Mr. *Cressett Pelham* said, he had strong objections to the appointment of Barristers to do that duty, which the present returning Officers were perfectly competent to perform, and, therefore, he thought it would be an improvement in the Clause if it was to enact that the present returning Officers, with proper legal advisers should investigate and decide upon all votes. He was sure the electors would prefer that plan to having a lawyer forced upon them.

Mr. *Croker* said, he had serious objections to the introduction of the Judges of the land into any political machinery whatever. He thought that they ought not to have the appointment of the Barristers who were to receive the lists of voters in the different counties, for if the Barrister should be accused of partiality of any kind, the Judge who had appointed him, would be made to bear part of the obloquy. He did not suppose that any one person believed that the Judges would make such appointments for party purposes, but the mere suspicion that they had the power would be injurious to their reputation. Under these circumstances it would give him great pleasure if some other mode of proceeding could be devised.

Sir *Charles Wetherell* also objected to the infusion of the Judicial Office into any subject connected with the election of Members to sit in that House. Hitherto the separation of the Judicial from Political Offices had been complete. But he objected further to that part of the Clause which gave to the Lord Chancellor the right of overlooking these appointments. That right was in itself a reflection upon the Judges, who, if they were to have the right of appointment, ought to have it without appeal. After all, however, the Chancellor could only appoint on the recommendation of the Judges, so that this offensive Clause would be of no real utility in practice.

Mr. *Currie* recommended that the Sheriffs should have the appointment of the Barristers. If there were objections to that, he should wish the appointments to be vested in the Secretary of State for the Home Department, rather than with the Judges, for, by possessing that power, they would have considerable control over the junior branches of the profession, and over the independence of the Bar.

Mr. *Baring* did not think that the arrangement would be satisfactory if the Sheriffs had the appointment of the Barristers. There was one plan by which the active interference of the Judges in this matter could be avoided, and that was by leaving the Barristers to be taken out of the number of those who attended the Circuit, or from a certain class of that number, giving the option of refusing the appointment in the first instance to the senior Barristers on the Circuit. If they refused, as it was likely gentlemen in good practice would refuse, then the appointments might be offered in rotation to those immediately below them, and in that way the necessity of imposing a choice upon the Judge might be avoided.

Lord *Althorp* admitted, that it was a question of some difficulty as to who were the proper persons to choose the Barristers; the object, however, being to remove the matter as far as possible from any political bias; it had been thought that the wisest course would be to give it to the Judges of the land, and he did not see, that by requiring the sanction of the Lord Chancellor to the appointments, they were casting any slur on the Judges.

Mr. *Goulburn* thought that the Barristers had too much power given to them. But it appeared to him, that in their election, the authors of the Bill were not carrying into effect their own intention; for, as the Bill now stood, one Barrister was to be appointed for each county, and his appointment submitted to the approbation of the Lord Chancellor; but in the event of the pressure of business requiring the induction of a second Barrister, his appointment rested in *toto* with the Judges, without any sanction of the Lord Chancellor being required. He should therefore move, as an Amendment, that the words "be submitted to the approbation of the Lord Chancellor," be omitted.

Lord *Althorp* had no objection to those words being struck out.

Amendment agreed to.

Mr. *J. L. Knight* suggested the addition of words for the purpose of preventing any Member of Parliament acting as Barrister under the appointment of the Judges. He would move, as an Amendment, "That no Member of Parliament shall be appointed such Barrister within the intention of the aforesaid Act."

Lord *Althorp* had no objection to the Amendment, though he thought that the case against which this Amendment was intended to guard was very little likely to occur.

Amendment agreed to.

Mr. *Baring* proposed an Amendment to the Clause, to the effect of preventing Barristers concerned in revising the lists of voters at elections, from appearing subsequently as advocates before Committees of the House of Commons, when the validity of the elections in which they had been employed came to be determined.

Mr. *Burge* could not consent to the Amendment, as it created a prohibition which was wholly unnecessary, and, in so doing, conveyed a reflection on the profession. No Barrister engaged at an election would think of appearing as Counsel before an Election Committee.

Mr. *Knight* observed, that if any Barrister was so forgetful of delicacy, and of what he owed to himself, as to practise before an Election Committee, in a case in which he had formerly sat in a judicial character, it would be in the power of the House, or the Committee by refusing to hear him, to evince their sense of the impropriety. No such thing, however, was known in the profession. Some of the Judges in the Ecclesiastical Courts practised in the higher Courts, into which appeals came, but they uniformly declined holding briefs in a cause which had come before them in their judicial character. He might refer particularly to the case of his hon. and learned friend, the Chancellor of the Diocese of London, (Dr. Lushington) who presided in the Consistory Court, and who practised with so much credit to himself, and advantage to the public in the Prerogative Court, to which appeals were frequently brought from the Consistory Court. The prohibition was unnecessary, and he should, therefore, vote against the Amendment.

Mr. *Hunt* said, they had prohibited Members of Parliament from acting as Barristers, and he did not see why Barristers should not be prohibited from acting both as Judges and Advocates. The adoption of the Amendment would make the clause more complete. It was said, a Committee might refuse to hear a Barrister, who had acted as a Judge; but how were they to know it, and if they did, it would be a very unpleasant position to place them in.

Mr. *John Campbell* said, it was a rule of the Civil Law—a rule adopted universally by all the nations to which that law was known—that an individual sitting judicially in a cause should not appear as an Advocate, upon an appeal made in that cause to a higher Court. This rule of the Civil Law was adopted in practice by the profession in this country, and it would be a reproach to the lawyers of England to enforce by an Act of Parliament what was already the universal practice.

Mr. *Baring* said, that as it appeared to be the universal feeling of the gentlemen of the legal profession, that it would be unprofessional for any Barrister, having acted as a Barrister in settling the lists, to appear as an Advocate before an Election Committee, he would withdraw his Amendment, hoping, from what had been stated, that the evil he was anxious to guard against, would not occur.

Amendment withdrawn, and the clause as amended ordered to stand part of the Bill.

The 41st Clause agreed to.

On the 42nd Clause being proposed,

Mr. *Goulburn* said, he observed the lists of the voters was to be put upon, or near the Church door. He did not understand that expression.

Lord *Althorp*: The Church door may not be of size enough to hold the lists of large parishes, therefore it was necessary to provide another place for their exhibition.

Lord *Sandon* thought this method of publication would not be sufficiently effective for large parishes, where the number of votes was 15 or 20,000; how would it be possible for any one to examine such a list of names?

Mr. *Goulburn* said, it would be utterly impossible for an effective examination to take place, among such a multitude of names as would be exhibited in the metropolitan districts.

Lord *Althorp* said, the parochial authorities for their own convenience would take care to have the list so made out, as to be accessible to all parties.

The Clause was then agreed to.

The 43rd and 44th Clauses were agreed to.

The 45th Clause, which enacts that all persons whose names are omitted in the list of voters for cities or boroughs, shall be at liberty to give notice in writing to the overseers or the town clerk, as the case may be, of their intention to claim to have their names inserted—and which gives to all persons who shall have been inserted in such lists, a right to object to any other person as not being entitled to have his name retained in such list, and which compels the overseers or town clerks to publish lists of the claimants and the persons objected to, and to affix copies of such lists on the doors of all the churches within their parish or township, or on the doors of their town hall, and to furnish a copy of each of such lists to any person requiring the same for the fee of one shilling was then put by the chairman.

Mr. *Goulburn* objected to this clause on the ground that it was quite impracticable to carry it into execution. The Church doors could not carry all the lists which this clause ordered the overseer to make out. Besides, it was too much to compel the overseer to furnish a copy of such lists for so paltry a fee as one shilling. He was fully persuaded, that, in large towns the Act could not be carried into execution.

Sir *Charles Wetherell* also thought, that it would be impossible to carry this clause into operation. It would require the overseer to have a complete establishment of secretaries and bill-stickers, in order to make out and post up these lists. The clause, too, was one of the longest which he had ever seen in an Act of Parliament. It was so long, that it had actually put the Chairman out of breath in reading it, and it almost required a pair of horses to draw hon. Members through it.

Lord *John Russell* said, that since the former Bill had been rejected, he had had some communication with the Overseers of several populous places; and he was given to understand that, with the amendments now introduced into the Bill, the Overseers were of opinion, that, not only would the time, but also the remuneration afforded them for drawing out those lists, be amply sufficient.

Clause agreed to.

The 46th Clause, which makes provision for making out a list of the liverymen of London, and for holding the elections at Guildhall, was then put by the Chairman.

Mr. *Hunt* said, it was required by the Clause that the list of the Liverymen should be fixed up at the Royal Exchange on two Sundays; but, it so happened that that building was always shut upon those days.

Mr. Alderman *Venables* observed, there could be no doubt that the list could be fixed up so as to be perfectly seen all the week.

Mr. Alderman *Waithman:* The lists of the several Companies are always kept made up correctly, so that no mistake could arise.

Clause agreed to.

The Chairman then put the 47th Clause, empowering Judges of Assize to appoint barristers to revise the lists of borough voters.

Mr. Alderman *Venables* moved an amendment to the clause, that the Barristers to be appointed for the purposes of the Bill in the city of London should be selected from the Common Pleaders of the city.

The clause, with the amendment, agreed to, as were the 48th, the 49th, and the 50th clauses.

The *Chairman* then put the 51st Clause, by which authority is given to the Barristers to summon witnesses to give evidence touching the matter pending before them; and in case of refusal by the witnesses to be sworn to give evidence, to commit such party refusing to the House of Correction for seven days.

Sir *Charles Wetherell* said, he wholly objected to this power being given to any learned Reformer whatever.

The *Attorney-General* said, that such power was reserved to all Courts, and that of the Barristers under this Bill ought not to be deprived of the power enjoyed by other judges.

Sir *Charles Wetherell* would never consent to any such power being given to such a mummery of a Judge, who, he supposed, must have his train-bearer, and other officers.

Mr. *Hunt* concurred with what had fallen from the hon. and learned Gentleman. He was glad to find among the present Government a Minister (the Secretary at War) who knew what it was to be sent to gaol; and he hoped the right hon. Baronet would be the first to oppose this portion of the clause.

Lord *Althorp:* There must be some means to compel witnesses to answer questions; but, as the punishment stated in the clause was objected to, he was willing to change the imprisonment to a small fine.

Mr. *Goulburn* thought that some difficulty would arise from the wording of the clause, for, though the Barrister was empowered to issue his warrant for the attendance of a witness, there was no provision in the clause as to any person by whom the warrant was to be executed; so that it was only when the witness appeared before the Barrister that he was liable to punishment, for, if he chose to stay away, he suffered no liability.

Sir *Robert Peel* conceived another difficulty presented itself, for no party was bound to attend as a witness until his reasonable travelling expenses had been tendered to him; and who, under the provisions of the Bill, he would ask, was the party to make the tender? If there was no such party, how could the witness be bound to attend? He admitted that it might be said that every witness might be presumed to reside within the borough or town within which the vote was to be given; but supposing him to be in London, or elsewhere, who was the party interested to make the tender of his expenses?

Lord *Althorp* had no hesitation, after the suggestions which had been thrown out, to postpone the consideration of the clause.

Sir *Robert Peel* said, that the manner in which his suggestions had been met, afforded a great encouragement to hon. Members on his side of the House to offer for consideration amendments to the Bill, in the same spirit in which they were received.

The *Attorney General* assured the right hon. Baronet that every reasonable suggestion had, and ever would have, the attentive consideration of the Government.

The Clause postponed.

The 52nd Clause, authorising the appointment of additional Barristers, in case of need, was agreed to without amendment.

On the 53rd Clause, enacting that lists of voters for counties shall be transmitted to the Clerks of the Peace, and that lists of voters for cities or boroughs shall be kept by the returning officers,

Sir *Robert Peel* said, there was a point in this clause to which he begged to call attention, as there was no provision in it for correcting the list, should there be an error in the entry of the names, except taking the case before a Committee of the House of Commons. The Act required distinctly, that the form of the list and notice applicable to cities and boroughs, should be drawn according to the schedule of the Act, and that the Christian name of the voter should be copied into a book from the list. Suppose a person had two Christian names, and he, by mistake, was entered by only one; when he came to the poll he might be rejected, and the only tribunal before which such a mistake could be corrected would be a Committee of the House of Commons. There was a case to be met with in Rogers's work on elections, where a man's name was entered differently; in one case it was "Charles" at full length, and in the other simply "Chas." This led to a dispute as to the identity of the vote. There being no remedy provided for correcting a trivial error of this description, the omission might be an encouragement to litigation in elections. He, therefore, thought there should be some provision affording the means of correcting palpable and unimportant errors, by some less tedious and expensive machinery than an Election Committee. The evil arising from litigation, in consequence of mistakes of this kind, might be clearly exemplified by the Bedford case, and the law on this subject could not be too clear. In the case he alluded to, 277 voters were objected to out of 500, on account of their assessments to the land-tax being informal. He wished to know whether there was to be no appeal but to a Committee of the House of Commons, or whether any mode was to be adopted for correcting mistakes other than that of coming before an Election Committee. It would be necessary that a proper party for determining this point should be appointed; whereby, on coming to the poll, a voter should have an opportunity of rectifying any error that might have crept into the list, for, unless this was done, an opportunity would be given for making frivolous objections. As the Bill at present stood, the occupation of successive premises would entitle a man to vote. Supposing a man had occupied three or four different premises, it would be necessary, in that case, that he should state his qualification, and if, by accident, his Christian name should be entered differently in the lists, he would, without some such remedy, be liable to have his vote objected to.

The *Attorney General* did not see that any improvement could be made in the clause: he thought it was well calculated to effect the object proposed by it.

Lord *John Russell* said, the general provision made by the clause was calculated to prevent mistakes. The Bedford case, alluded to by the right hon. Baronet, arose from some neglect with regard to the land-tax. The attempt to remedy minute evils by legislation very often created greater ones.

Sir *Robert Peel* said, his sole object was to prevent, as much as possible, the having recourse to such an expensive remedy as a Committee of that House was known to be.

The *Attorney General* agreed with the right hon. Baronet that every provision should be made to prevent candidates being compelled to have recourse to an Election Committee upon trifling occasions. He had no doubt the Sheriff would exercise a just discretion, and not receive factious or vexatious proposals.

Mr. *John Campbell* said, if a man was called John Thomas in the list, and his name was Thomas John, such an error might be easily remedied by the Sheriff, as every mistake of that nature could be easily proved by the party affected.

Mr. *Croker:* The hon. and learned Gentleman had omitted to state, that the man must swear to his identity, and he had no doubt, from the increase of the number of voters, such a case would be of frequent occurrence. Some provision should therefore be made to meet the objection, and thereby prevent a man, on coming to the poll, being told there was no remedy for the mistake but a Committee of the House of Commons.

Sir *Robert Peel* hoped the noble Lord would make a slight alteration in the clause, to meet the objection. Some such provision as a man coming forward and declaring, "I am A. B., but my name is entered on the List as C. D.," would be likely to prevent appeals to the House of Commons.

Clause agreed to.

The 54th Clause likewise agreed to.

On the 55th Clause, enacting that the expenses of Overseers shall be paid out of the Poor-rate, being put,

Sir *Robert Peel* observed, that this was an enactment of considerable importance, as it went to provide that the expenses of the Overseers should be paid out of the funds collected for the support of the poor. He thought this singularly objectionable, because it had the effect of saddling a very considerable expense on a rate which all classes of persons were desirous should be decreased instead of augmented. The very next clause appeared to be framed by persons aware of the objections which were sure to be entertained against accumulating charges upon this almost sacred fund for the relief of the poor; for it was by that clause provided, that the expenses incidental to the performance of their duty by the district Barristers should be borne out of the public purse. This objection, had, it would seem in this clause, struck the framers of the Bill, and he regretted the same caution had not been shewn in the clause before the Committee, There would not be wanting village Humes —he meant the allusion complimentarily —who would not fail to deprecate saddling the Poor-rates with the objects of that particular fund. The clause would be a great hardship on those scot and lot voters who would have to defray the expenses under a Bill which disfranchised them. He begged the Committee to be on their guard what they resolved upon with respect to this very singular and anomalous provision in the Bill, as their conduct would most certainly be scrutinized with more than ordinary strictness and severity by their constituents throughout the country, if they should be induced to encumber the fund for the relief of the poor with this heavy charge. He had another ground of objection. The boroughs were not, in all cases, to be co-extensive with the parishes, and therefore, in some cases, the parish would be burthened with an expense which would not properly belong to it.

Lord *Althorp* did not, he confessed, see how the payment of these occasional expenses could be more safely or economically provided for than by leaving the defraying of the charges incurred by the Constables of the districts to the local fund of the places interested. It was certainly better than permitting it to be claimed out of the Exchequer, because it was evident that office could not have the same control over the Constable in distant parts of the kingdom as the local authorities, or the private persons interested in keeping down those expenses. There was also a facility in this mode of collecting the rate, as it might be called, which was in itself a strong reason for preferring obtaining it when necessary, at the same time with the Poor-rate, rather than subjecting the different places to the charge of a separate collection distinct from that of the Poor-rate. Although it was undoubtedly the case, that some of the old boroughs were not co-extensive with the parishes, yet the mode adopted in the clause was the best and most economical for all classes of boroughs generally.

Mr. *Goulburn* felt a strong objection to any enactment that should throw a charge not necessarily connected with the relief of the poor upon the Poor-rate. If Parliament went on in this way saddling one expense after another upon the Poor-rates, the character of that fund would fall considerably in the opinion of the public, who would not fail to complain that its sanction was attempted to be directed to subjects of import far different from those comprised within its original institution. They had a precedent in point with regard to the Grand Jury Fund in Ireland. Many hon. Members knew how convenient that had been found on several occasions. Charges of an indefinite nature might in future add annually to the burthen of the Poor-rates, and which would not come with the other items of public expenditure before the House.

Mr. *Hume* thought that the voters themselves should defray the small expenses incidental to the registry of their votes. As the suffrage was limited to particular persons, the general rate-payers of the parish ought not to be called upon to bear any part of their expenses.

Colonel *Wood* said, there was another charge created by the Bill which parishes and county rate-payers would greatly object to when they came to understand it; he meant the charge for the returning officers of boroughs being imposed upon the counties. He did not understand why this should be the case: the whole of the effect, however, of the clause would be, that parishioners would first have to pay towards the Lists out of the Poor-rates, while the counties would have to contribute to the borough expenses; and all parties who paid rates, although many of them were not to receive votes would still have to contribute to both these funds.

Sir *Robert Peel* said, every measure should be devised to contract parochial expenditure, instead of adding to it. The amount annually collected was already enormous, and there was no limit to its increase. While all other public burthens were under the control of that House, this was exempt from their management, and therefore they ought to be very careful how they added any additional charges to it, particularly if they at all partook of an undefined character. The Overseer was an officer acting generally gratuitously, and was often a person wholly incompetent to attend to complicated accounts.

He must, therefore, incur some expense in getting them completed; probably the Attorney and Vestry Clerk would assist him; and, as such parties jointly had frequently great control over the parish funds, the chances were, that in many instances large and unnecessary expenses would be incurred. The charges, therefore, ought to be defined, and their amount subjected to some other supervision than that of the parochial authorities. As the candidate at an election had to defray a portion of the expense, it was most desirable that, upon the principle of the Scotch Bill, the voters should be also made to pay a small sum each towards defraying those expenses. It struck him that that would be a better plan than the one which threw those expenses on the Poor-rates generally, for there was nothing that Parliament should more carefully attend to than the limiting and controlling parochial expenditure.

Mr. *Benett* was convinced, that if the County-rates were increased by the operation of this clause, there would be great objections raised to the clause. He saw no objection to each voter being called upon to pay a shilling on being registered, and another for the copy of the List. These payments, he thought, would be sufficient to cover every expense to be incurred by the Overseers, and would therefore effectually protect the County-rates and Poor-rates.

Lord *Althorp* had no objection to postpone the consideration of this clause, if such was the desire of the Committee.

Clause postponed.

The House resumed. The Committee to sit again the next day.

* * *

HOUSE OF COMMONS,

Saturday, February 11, 1832.

Payment of Barristers under the Reform Bill.] Lord *Althorp* said, as the Committee were now enabled to proceed with the 56th Clause, which provided for the payment of Barristers appointed to revise the list of voters by the Treasury, he had to move, that the Resolution of the Committee of Supply, that they be paid out of the Consolidated Fund, be agreed to.

Mr. *Hume* said, he was afraid the clause would lead to unlimited expense. If five guineas a day were allowed, without any restriction of the Barrister being actually employed, the expense would be immense. He, therefore, begged to suggest as the employment seemed likely to be nearly constant, that three guineas a day was a sufficient remuneration, or they might have regular salaries as was the system in Ireland, in which case 200*l.* a-year would be sufficient. But a better plan than either of these would be, to require the voters to pay a small fee on registration. Whichever way was taken he was quite satisfied the clause could not remain as it was. The words in the clause were "That every Barrister appointed to revise any lists of voters under this Act shall be paid at the rate of five guineas for every day that he shall be so employed, over and above his travelling and other expenses; and every such Barrister, after the termination of his last sitting, shall lay, or cause to be laid, before the Lords Commissioners of his Majesty's Treasury for the time being a statement of the number of days during which he shall have been so employed, and an account of his travelling and other expenses incurred by him in respect of such employment." They had a sufficient example in not naming a limit to expenses of this sort, when they remembered the cases of the Charity Commissioners, whose expenses for their table alone amounted to two or three guineas a day. He objected in *toto* to the expense being borne by the public, it certainly ought to be defrayed by those individuals who were to receive the benefit of the regulation.

Mr. *John Wood* said, the Gentlemen appointed could only actually be employed for a short time during each year, and therefore, it would hardly be fair to say that they should only be paid for the days they really set in their respective Courts. He apprehended no Barrister would accept the situation on such terms.

Colonel *Davies* considered that the sum of five guineas a day, as a remuneration, was too much. He would engage to supply 500 Barristers at two guineas per day. If it was decided that they must be paid out of the Consolidated Fund, there should be some document required to prove the number of days they had actually been employed.

Mr. *Croker* objected to the payment being made out of the Consolidated Fund. He thought in justice that those persons who desired to exersise their franchise under the Bill ought to pay the expenses of its working; and he, therefore, approved of the suggestion of the hon. member for Middlesex, that persons should pay a fee on registration. With regard to the amount of the remuneration of Barristers, he was of opinion five guineas a-day was not too much.

Lord *Althorp* said, that the argument urged by hon. Members upon a former occasion was the inadequacy of five guineas as a compensation. Now it was said that the sum was too great. He, however, was of opinion that five guineas was a moderate sum, and that it would not be fair to the Gentlemen of the legal profession to grind them down to two guineas. With reference to the other suggestion—of making voters pay a fee for registration, he objected to it on the ground that, in many instances, it would prevent persons from exercising their franchise.

Mr. *Hunt* said, if Barristers were selected at the discretion of the Judges, the public might have to pay travelling expenses for these Gentlemen from London to Cornwall or Cumberland, when there were persons of the same profession residing on the spot, fully competent to perform the duties required. He objected to the whole system of payment proposed by the clause. It might be right to tax the new constituency, who were to receive a benefit under the Bill, but it was not just to make those pay who received no advantage.

Mr. *Hume* understood that there would be nearly 96,000 voters in the new metropolitan districts. If each of these paid only 1*s.* on being registered, the sum would amount to 4,800*l.* which sum would more than pay all the expenses required, if they were properly looked into.

Mr. *Benett* thought it unwise to attempt to make the electors pay a tax, and therefore, he approved of the plan proposed by the clause, and the sum of five guineas a-day, he considered, was not too much for the Barrister employed.

Lord *Granville Somerset* protested against the employment of any local resident Barrister, and he was sure no Judge ought to appoint one, if he desired to have the duties performed impartially.

Lord *Milton* observed that the franchise was conferred upon a certain class, for the benefit of the public generally; therefore, the public purse ought to defray the charges of registration. He approved both of the amount of the remuneration, and the manner of its payment.

Mr. *Croker* thought that the noble Lord had drawn a distinction which would not hold good on examination. The object of making each elector pay was, that there should be a direct superintendence exercised over the expenditure, which would not be had if Government paid the charges. It was not wished to make the voters pay for the elective franchise, but they ought to be charged with the expense of the machinery by which it was said they would be saved very considerable trouble. If the charge was local every man would be interested in superintending the expenditure. If the expenses were to be defrayed out of the Consolidated Fund, the outlay for registration would be beyond measure greater than if there was a local superintendence. He begged to tell the noble Lord, from his own experience, that the expenses of registration would be much greater than he seemed to anticipate. On every account, he wished to give the voters a control over the expenditure of the elections, and they would take care that the funds were not lavished. To do this it was obvious that there must be a local rate.

Lord *Althorp* said, they had adopted the present method of payment on a full consideration of all the circumstances, and he had no doubt the Treasury would be able to exercise a control over the payments.

Mr. *Hume* protested against 1*s.* being taken from the public purse for defraying the expenses of travelling Barristers. He was quite sure, from what he knew of Treasury control, that very unnecessary expenses would be incurred.

Sir *Edward Sugden* said, all these difficulties arose from the complicated nature of the machinery adopted. He felt confident that the expense of carrying this part of the Bill into effect would be greater than was imagined.

Mr. *Hunt* said, the constituent body created by the Bill would not amount to one million, while there were eight times that number of adults who contributed to the taxes. He, therefore, declared it was most unjust to call upon all those unrepresented to contribute their share for a purpose from which they were to derive no benefit.

Resolution agreed to.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — ELEVENTH

Day.] On the Motion of Lord John Russell, the House resolved itself into a Committee on the Reform of Parliament (England) Bill.

The Chairman having read the 57th Clause,

Lord *John Russell* wished to propose an alteration in this clause. As it at present stood, it provided that the voter, on coming to the poll, should reply to certain interrogatories put to him by the returning officer respecting his identity, and the validity of his qualification; but no elector was required to take any oath in proof of his freehold, residence, age, or other qualification to vote. Upon re-consideration, it appeared to Ministers that this process would give rise to very considerable delay, and they had, therefore, determined, in accordance with the suggestion of the hon. and learned member for Louth, made on a former day, to render the English Bill, as far as this clause was concerned, similar to the Irish Bill. The effect of the alteration which he should propose would be, to require that the voter, in case of any dispute relating to the points in question should make oath as to his identity with the party registered, and to the validity of his qualification.

Mr. *Hunt* objected to the introduction of a long oath, as calculated to create most injurious delay in elections. If each candidate could demand that the voters for his opponent should take this oath, and also the oath against bribery, it would be utterly impossible to take the poll in the time contemplated by the Bill.

Sir *Edward Sugden* opposed the alteration. The clause had been brought into the shape in which it then stood after a very full consideration, and, in his opinion, it should not be changed. He thought, that the effect of the alteration proposed by the noble Lord would be to create, rather than to prevent, delay.

Lord *John Russell* was not at all satisfied that there should be any examination subsequent to that at the time of registration; but if inquiry were to be permitted, this mode would, he thought, simplify and shorten it. The proposed course would be, to take the registry as containing the complete right of voting; and if, on the day of election, there was any dispute as to the identity of the elector, all doubts would be removed by his taking an oath that he was the person named, and that he had not before polled.

Mr. *Sheil* thought that the alteration was a very wise one. There was a provision of a similar nature in the 23rd clause of the Scotch Reform Bill, and the same practice had been found to work well in Ireland.

Mr. *Croker* thought, that the clause had much better be allowed to remain as it then stood. In his opinion, the three short questions which it provided could be asked by the returning officer in much less time than the proposed oath could be administered. He stated this independent of the objection urged upon all occasions to the multiplication of oaths, which had a tendency to weaken their obligation.

Lord *Althorp* said, that undoubtedly, in clear cases, the simple questions which the clause provided might be put, in less time than the proposed oath could be administered. But, as difficulties would frequently arise, he thought that the oath, in the long run, would be found to be the speediest and most convenient mode.

Mr. *Goulburn* was of opinion, that, by adopting the noble Lord's Amendment, they would take from the candidate the means essential to the success of his election, by preventing him, in case any necessity for it should arise, from putting a question to remove any difficulty that attached to an election. If, instead of this, he was compelled to require the electors to take an oath, the consequence would be his own unpopularity. It ought also not to be forgotten, that, in the heat of a contested election, when the feelings of parties were strongly excited, oaths might be taken without a sufficient consideration of their serious nature. He had himself, when he had required the bribery oath to be administered, seen it taken by bodies of twenty electors at a time, in a manner which proved that they were not sufficiently aware of the importance of the proceeding.

Mr. *Hunt* observed, that such a mode of administering the bribery oath was illegal.

Mr. *Croker* was convinced, that great confusion and delay would be occasioned when an ignorant man commenced taking the oath, and found that he was about to swear to that which was not true, from some alteration that had taken place in his qualification, although he might still be legally entitled to vote.

An *Hon. Member* thought an affirmation, with penalties annexed to a conviction of its falsehood, would be preferable to an oath.

Sir *Edward Sugden* protested against any plan calculated to diminish the influence of an oath, especially among the class of persons who would, for the most part, form the constituency under the Bill. It was known, that in many places, the bribery oath was considered a mere form, and he feared the same result from the oath relating to qualification.

Mr. *Blackney* thought the hon. Member's doctrine was an attack upon every elector in the kingdom. He seemed to imagine the constituency did not know the nature of an oath, nor the obligation that attached to that one they were about to take at elections. He considered the objections made were unnecessary, and only calculated for delay.

Mr. *Croker* maintained, that the present discussion was not unnecessary. The point under consideration was of considerable importance, involving the moral effects of the Bill and the morals of the country. The oath proposed by the noble Lord embraced a variety of difficulties, some of which might be removed by explanation, but that was forbid. He feared the electors might unintentionally commit perjury.

Lord *John Russell* thought, there were three cases which required consideration in relation to this oath. The first was, to provide security that a person presenting himself at the poll was not fraudulently personating a voter. The second inquiry would be whether a voter had polled previously at the same election. No one could perform either of these acts, without being guilty of a moral offence; but the process of an oath would, in both cases, provide a security against the commission of the crime. The third question would have reference to the qualification, and he was ready to admit, that inquiry might be made before an oath was administered. For instance, a man might have sold a portion of a field which had qualified him to be inserted in the register, and then it would be proper to know whether the property remaining would be sufficient to form a qualification. The great object, however, was to avoid delay in polling, and an oath would be desirable, at least in the two previous cases. With reference to the difficulty said to be attached to the proposed plan, he had reason to believe that, at the late Dorsetshire election, upwards of 200 persons refused to prove their qualification, in consequence of the trouble attendant on the proof. He thought, therefore, that some process of the sort suggested was necessary to render the register effective. As the clause at present stood, the inquiry might extend to an indefinite period, to the great inconvenience of the voters, and even to the destruction of one of the main objects of the Bill. He had no very decided preference, however, on the subject; and, if the Committee wished it, the questions might be put in the first instance. For this reason, he supported the Amendment.

Sir *Edward Sugden*, alluding to one of the questions which had been described by the noble Lord, viz., "Have you the same qualification that you had?" suggested that a better form of question would be, "Have you the same interest that you had?" An elector who had changed his interest might be erroneous in considering that he had the same qualification.

Lord *John Russell* said, that it would be necessary to frame the questions so that they would not have the effect of disfranchising any person really entitled to vote. No person was more competent to draw up the questions than the hon. and learned Gentleman himself, and he was perfectly willing to leave the task in his hands, if he would undertake it.

Sir *Edward Sugden* said, that this was a matter of some delicacy, but if the noble Lord had no objection to his preparing the questions, there certainly could exist none on his part, in undertaking the task.

Mr. *Sheil* hoped he should be pardoned if he trespassed on the attention of the Committee for one moment. It appeared to him that this part of the clause, which was one of great importance, was not properly worded. The question was, "You swear you are in possession of the freehold which is described in the Register, by virtue of which you now claim to vote." Very well: if the voter answered in the affirmative it was all right; but as it was not left in any way to the discretion of the returning officer to put the necessary questions, what was to be done in the event of an unsatisfactory answer being returned? If the questions were put, of course answers were expected; and though the House might dictate the question, it could not dictate the answer: it might be either a simple negative or affirmative; but if it be neither, if it be something more, the returning officer must be invested with the exercise of some discretion upon the subject. But the least discretion in the returning officer would constantly cause mistakes, owing to his ignorance or negligence. Suppose a person is registered of particular lands, and that, after being registered, he mortgages these premises, here clearly, in point of law, there would be a change of circumstances. The question would be asked, "Did you not mortgage these lands?" "Yes," says the elector, "but I possess a 10*l.* qualification besides." Now, how was the returning officer to decide in this case? Why, if no discretion was left to him, what could he do, having dictated the questions which were prescribed to him? Some reference had been made to Ireland in the course of these discussions, and he would just beg to call the attention of the Committee to the delay, expense, and inconvenience which arose there. When an objection was taken to a person tendering his vote, the matter went before another tribunal. What was the consequence? Why, the candidate, if he were so inclined, directed his agent to put in an objection to every person who claimed the right of voting, and the whole machinery of the election was thus stopped. A ludicrous scene then took place at the Sheriff's, where every one of these voters was obliged to attend for three, four, or five days, in order to substantiate his vote. It was needless to say, that this was productive of enormous delay and expense; and if the House admitted anything of the kind into this country, it would be found utterly impracticable to conclude an election in anything like two days. There were two objects sought to be gained by this measure—celerity and economy. The clause would fail to attain those objects, and would be the cause of a much greater evil, namely, perjury. Suppose the returning officer put the questions, and received no satisfactory answers, was he, in that case, to proceed to administer the oath? There would be several districts in which, when a candidate wished to defeat his adversary, he would object to every vote. Thus the election would be stopped at once. The consequence of this proceeding would be, that in every district all possible skill and dexterity would be exerted; Counsel, Attornies, Agents, and Inspectors, must be employed in every district. It was clear, therefore, that there would be a considerable increase of delay and expense. Having split the counties of England, having broken down the barriers which heretofore existed —let them not substitute a system which would not only be productive of all the evils sought to be avoided, but of some a great deal worse. Instead of putting the questions first, and swearing the individuals afterwards, it would be much better to let them take an affidavit at first. Look at the Scotch form, how superior it was in every respect. The words of the oath administered in Scotland were these, "I (A, B,) do solemnly swear that I am the individual described in the Register for such and such a place [here insert the description in the same words as are contained in the Register]." In Scotland, therefore, it was necessary that the description should be exactly the same as that contained in the Register; but here the returning officer was to be allowed to insert what description he pleased; he might indulge in any latitude of phrase; whereas, in Scotland, the description must be in the very words of the Register. Was it to be presumed that the English freeholder was so utterly ignorant of his own language, that when he swears he has the same qualification, he means the same for which he is registered? If this only took place once in eight years it would be a different thing; but, under the operation of this measure, it would occur once every year, and, therefore, the evils to be anticipated would be greatly augmented. It certainly appeared to him that it would be much better to provide that the fact should be clearly and distinctly set forth, than to rest the matter upon the very loose interrogatories of the returning officer, to which vague and indefinite answers might be returned. He cautioned the House against holding out a temptation to perjury; and, above all, of leaving this matter to the bias, ignorance, or, perhaps, corruption of the returning officer.

Mr. *Shaw* feared that if the questions were asked before the oath was administered, an inducement to false-swearing would be held out. A man might answer untruly not expecting an oath would follow; but, if it did, the chances were that he would commit perjury. It would be better, therefore, that an elector should be sworn in the ordinary way as to the truth of the answers he should give.

Mr. *Hunt* said, it was notorious that perjury was committed at elections, and the Bill would increase it. As to oaths being taken on the hustings, the voters were often brought up to the poll so drunk as not to know what they were about. If oaths were necessary, they should be taken beforehand when men were cool, and not during the heat of a contested election.

Clause postponed.

The 58th Clause, which provides, that "persons excluded from the Registry by the Barrister may tender their votes," read,

Colonel *Wood* wished the House to reject the clause altogether. He contended, that a candidate who felt himself weak n a particular district, might create great delay and embarrassment by tendering false votes, and that a man of fortune might, in a contest with a man of limited circumstances, obtain a nominal majority, and retain his seat in consequence of his opponent's inability to sustain the expense of a petition.

Lord *Althorp* thought the clause necessary for the protection of voters. Fraudulent votes could be investigated after the election without much expense to the unsuccessful candidate.

Clause agreed to.

The 59th Clause read.

Sir *Charles Wetherell* said, this clause, by which the House of Commons was to inquire into all disputed votes in the last resort, was one of the most important in the Bill. Any petitioner could impeach the return by affirming that fraudulent votes had been taken, or that good votes had been rejected; but no votes whatever could be brought under the review of the House but those which had been tendered before the Barrister. If, therefore, any man was absent, and his name was omitted inadvertently, he had no other remedy but a Committee of that House.

Lord *Althorp* said, that those whose names were casually omitted by the Overseer would justly lose their votes by their own *laches*, if they were so indifferent on the subject as not to be at the trouble of having the error corrected. If everybody who might have a right to vote, but would not take the prescribed steps to acquire it, were permitted to bring his complaint before the Committee, the expense would be enormous, and the delay might be interminable.

Sir *Charles Wetherell* maintained, that the vote of every man ought to be allowed, if he could make a *bonâ fide* case before the Committee.

Mr. *Goulburn* animadverted on the clause on account of the unjust severity with which it would operate against Barristers, whom it would place in a state of uncertainty. It appeared that their decisions were dependent on the approval of a Committee of that House, which might mulct them in a heavy penalty; and that, too, unheard, should that tribunal adjudge even by a majority of one, that they had wrongfully decided a single vote, and the party injured could bring an action against them afterwards. No man of honour and character would subject himself to such an ordeal for the paltry pittance of 5*l.* a-day. He should, therefore, propose that the clause be omitted.

Lord *Althorp* observed, that the Committee ought to have a control over the Barrister; but he was willing to modify the clause in such a manner as only to empower such Committee to report cases of corrupt and wilful misconduct to the House.

Sir *Charles Wetherell* said, that no man of honour and professional reputation would allow himself to be made liable to so degrading a contingency, whereby he could be made a scapegoat between two violent political parties under a bare majority of one. It was unprecedented thus to give a Committee power to make a Special Report against a Judge without even hearing an argument in his defence. If Government desired to deal on fair and equitable principles, they must assimilate the practice to that of returning officers; but that also would derogate from the dignity of those who presided in the character of Judges.

Mr. *Croker* thought it would be advantageous to withdraw the clause altogether. It would operate most unfairly and unjustly against the Barrister.

Lord *John Russell* said, he was of opinion that the Committee ought to have the power given them of reporting to the House with respect to any corrupt conduct on the part of the Barrister. He should, therefore, have no objection to words to that effect being added to the clause.

Mr. *Goulburn* observed, that according to the existing laws, the Committee possessed that power already in respect to returning officers. As the noble Lord, however, had consented to place the Barrister in an improved situation, he would make no further objection, if such an amendment was introduced.

Clause, as amended, agreed to.

The 60th Clause, directing the Sheriffs to cause proclamation to be made in the divided counties, of the day fixed for the election, and to preside at the same by themselves, or their deputies, being read,

Mr. *Croker* thought, with respect to this clause, that the Deputies of the Sheriff, in divided counties, should, as far as related to election purposes, have the same powers as the Sheriff had now. There was another objection to the clause, and that was, that it gave the Sheriff the power to appoint two Deputies. He thought this was wrong, as it would enable the Sheriff to absent himself altogether from the election. Now, in his opinion, the Sheriff ought to be present at one of the elections.

Lord *Althorp* said, that it might happen to be necessary for the Sheriff to leave the Court altogether, and it was requisite to give him the power to appoint two Deputies.

The *Attorney General* said, that this clause made no difference in the law; for, as it at present stood, a Sheriff might absent himself, and leave the duty of attending to the election in the hands of his Deputy.

Mr. *Croker* thought, that in all instances it would be better for the Sheriff to appoint Deputies for the purposes of elections, and to attend himself to the preservation of the peace of the county.

Mr. *Goulburn* wished to add some words, by which the Sheriff in divided counties should be obliged to make proclamation of the ensuing election in the chief towns of both divisions of the county.

Clause agreed to.

The Clause 61st, limiting the polling to two days, was then read.

Colonel *Wood* said, that the object of this clause was, to diminish election expenses; but he was confident that if any such hope was entertained, it would prove most delusive. The chief expenses would be incurred between the day of nomination and the day of commencing the poll. From the variety of polling places allowed, it would be impossible to know the state of the contest, and therefore every exertion must be used to bring up voters, whether necessary for one candidate or not. This again wouldenhance the expense. Besides, he very much doubted whether any county could be polled out in two days. A popular candidate and his friends might get possession of the hustings—a mob could be collected—and his opponent's voters be so much embarrassed in their way to the polling place, as would deter all the weak and aged from attempting to tender their votes. By these means many of the most respectable electors would be prevented from polling. The idea that the expense would be small would induce many candidates to start, with no other object but to create a contest, and put their successful opponents to additional charges. He had no wish to lessen the wholesome excitement which prevailed at contested elections, but he was afraid the Bill would have that effect by dividing counties into parcels, by which old attachments would be broken up, and the straight-forward character of the freeholder be materially deteriorated. From the time of nomination to the completion of the return would be four or five days,and these would occasion much expense. Besides when the election was over, there would, of course, be the usual expense to the successful candidate of giving a dinner to the freeholders.

Lord *John Russell* thought the objections of the gallant Colonel were inconsistent with each other. Upon the question of expense, he wished to make one observation. He had taken the trouble of consulting two persons who were well acquainted with contested county elections, and they had made calculations, in which one of them stated, that with regard to a large county that was divided, the expense would be 500*l.*; and with regard to one that was not divided, the expense would be 1,000*l.* They both agreed, however they differed about details, that the expense under the Bill would not exceed one-fifth of what used to be incurred under the former system. When he heard that, and when he recollected the declaration that the Committee had heard made in that House a short time since, that a noble Lord who had incurred the expense of a contest for the county of Dorset, did not feel himself justified in making a further inroad on his fortune by defending the return which had seated him in that House, he trusted it would be found, that, under the new system, no such amount of expense would be incurred, and that even supposing they should double the amount calculated by the two Gentlemen he had mentioned, they would be much below the sum that was now usually spent at a contested election. Compared to the fifteen days' poll, and to the 35,000*l.* expended in contesting so small a county as Dorsetshire, or the 300,000*l.* required for contesting Yorkshire, the sums he had mentioned were so small that he thought the Committee would come to the opposite conclusion of that adopted by the gallant Colonel, and would think that the Bill would much diminish the amount of expense at an election.

Colonel *Wood* said, that perhaps it was intended to contract for the expense. An hon. Member had already engaged to contract for the Barristers, and probably somebody else would be found to contract for the return.

Lord *John Russell* believed, that the Bill would effect a complete alteration of the present system. At present the candidates gave dinners to the electors, but they, being Reformers, thought it better that the electors should give a dinner to the candidate; and some electors, also, he was happy to say, were of the same opinion. He had the honour of partaking of a very handsome dinner with the electors of the county of Devon, and was not allowed to pay anything for it, which he thought a great improvement on the former system.

Lord *Granville Somerset* said, that perhaps the noble Lord would introduce a clause to that effect,

Mr. *Croker* said, such a clause would pass unanimously he had no doubt. But to revert to the noble Lord's argument relating to the diminution of charge, which, he said, would be the consequence of the present Bill, he feared Gentlemen who suffered themselves to be deluded by that declaration would very soon find their error. He could perceive no other charge but the travelling expenses which was likely to be reduced. All the remaining expenses would continue, and even in some cases, be increased. If, by the existing system, elections were sometimes continued for fifteen days by the proposed alteration they would have eight or ten places for polling at two days each, with the certainty of a contest at each election. The candidates must have a much greater number of agents and polling clerks employed, and the day of nomination would be no trifle, for it would be the object of each candidate to bring as many supporters as possible, whose expenses must be paid. As elections were now managed, very frequently there was no contest, and the affair was over at once. This was generally known before the day of nomination, but by the new system it never could be known, and every one who was brought up on that day would have to travel back again to his place of residence, and then to travel a second time to the district poll-booth, to record his vote. But even granting that there would be some small saving under the head of travelling, the other expenses would, over and over again, exceed that saving. The great expense would be the completion of the Registers; and he really thought that annual Parliaments would be nothing in the comparison. At those annual scenes of confusion every person interested would attend with his counsel, his agents, and his witnesses. And would there be no expense in all that? He was not talking of the moral effects that would be produced on the minds of the people; but the sitting member would be kept in continual expense and turmoil; he would have to find out what was the probable intentions of each voter as he came to be registered—what his connexions were—which way his landlord was likely to vote—together with a thousand other ramifications which would lead to endless inquiry. He assured the Committee, that he wished heartily well to that part of the Bill which applied to registration. He had before declared that opinion; and, therefore, when the present measure was proposed, he much regretted that it was not divided into two parts, in order that he might be able to give his support to that which referred to registration, because he had always been ready to pay a moderate price to separate the fictitious voter from the real, and to get rid of that system of perjury which had so long existed, but he could not consent to pay so dear a price for this advantage as that proposed by the noble Lord.

Lord *Milton* was convinced that the taking of the poll in two days must necessarily occasion a great diminution of the expense at elections, particularly in the event of contests. He could speak with some confidence on this head, as though the expense of the great Yorkshire election had been much exaggerated, both by his noble friend (Lord John Russell), and the public in general; yet it was, no doubt, very great, and the chief portion of that expense was caused by the necessity of conveying voters to the poll. By taking the poll in districts, and finishing in two days, that expense would be much lessened; there would be no jobbing and carrying up voters two or three times before they would poll, as was common at present. As to the expenses of the day of nomination, he did not believe any candidate would make any further display than having his own friends about him who would be willing to pay their own charges. He was ready to admit, that the registration of electors would be an additional charge, but it had the advantage of being an annual one, and it never could be to such an extent as to injure a candidate's fortune.

Sir *Richard Vyvyan* agreed with his right hon. friend (Mr. Croker) that taking the poll in districts would add very much to the expense of elections, particularly when it was recollected that the candidate would have, in addition, to convey the electors to the place of nomination. By the Bill the election was to take place in two days after the nomination—an interval evidently much too short to prepare for the contingencies of a contest. He would suggest the expediency of having seven days' interval between the days of nomination and election.

Lord *Althorp* did not see any possible benefit that could ensue from adopting the hon. Baronet's suggestion. If a contest were probable, it would be known before the day of nomination, and all its contingencies therefore anticipated, so that a two days' interval would be sufficient for every practical purpose. The hon. Baronet was in error as to the expense which nomination days occasioned to the candidate. The candidates were never on those days put to the cost of conveying the freeholders; at least, if they were, it was a very gratuitous and unnecessary outlay of money. He had himself been returned nine times for the county of Northampton, and had never paid for the conveyance of a single voter to the place of nomination.

Sir *Richard Vyvyan* did not think that the expense would be increased by allowing an interval of seven days, instead of two.

Mr. *Portman* agreed with the noble Lord. He conceived it was a great improvement not to leave the interval between the day of election and nomination at the option or caprice of the sheriff, as it was at present.

Sir *John Johnstone* also concurred with the noble Lord as to the non-necessity of paying for the conveyance of electors on the day of nomination. It would be useless in Yorkshire, for example, to incur the cost of conveying electors on the day of nomination, for a sufficient number of persons was always to be had in the Castle-yard to hold up their hands at half-a-crown a head, and nobody could tell whether they were freeholders or not.

Mr. *Goulburn* observed, that the noble Lord proposed to throw the expense of a dinner upon the voters, and now it was proposed to make the electors pay their own expenses on the day of nomination. He hoped the hon. Gentlemen who advocated these improvements, would find their expectations realized, but he had great doubts on the subject.

Mr. *Gore Langton* thought the effect of the clause would be, to prevent *bonâ fide* county nominations. There would be great temptations for candidates to hang back, in order to take their opponents by surprise. There would be a vast deal of underhand manœuvering among those who were conversant in the management of elections.

Lord *Granville Somerset* said, that whatever might be the effect of this particular provision, it was impossible that gentlemen who intended to stand for counties should not be put to expense annually in seeing that the lists of voters were correctly made out. With respect to the time between nomination and election, he was of opinion that the sheriffs should have a discretional power to a limited extent.

Lord *Milton* thought, that it would be improper to vest a discretional power in the sheriffs, and conceived that putting off the day of election would increase the expense.

Lord *Granville Somerset* agreed with the noble Lord, provided the candidates were previously known, but he wished to guard against the manœuvering of a secret candidate.

Mr. *John Campbell* said, that the less that was left to the discretion of returning officers the better, as they might be influenced by friendship in the exercise of their functions.

Sir *Richard Vyvyan* submitted whether an interval of two days would not be insufficient in case of a contested election unexpectedly arising; it would be then carried by trickery.

Mr. *Sanford* thought two days a sufficient time, as it was well known, that between the day of nomination and the day of election, the great struggle was made. In the case of a pending contest, therefore, the shorter the interval the better, as the most unworthy means were often used to influence voters.

Mr. *Charles Ross* was of opinion, that a longer interval would be more convenient, in the event of a surprise, there would be no time for the surprised candidate to recover his ground.

Colonel *Sibthorp* said, that the clause, like the Bill itself, was a gross delusion.

Sir *Richard Vyvyan* said, that by a man holding back to the last day, and then suddenly retaining the attornies in the different districts, a surprise might be effected, and the person using that unworthy advantage, which he might do from the shortness of the interval of two days, with impunity, would be almost sure of being elected.

Mr. *Hunt* said, that the employment of attornies in canvassing was a most disgraceful system. The mode in which Members of that House talked of "bringing up electors to the poll," was something like driving up pigs. If there were real purity of election, there would be no five guineas a day to attornies and three guineas a day to their clerks. These persons were employed in the most disgraceful of all disgraceful processes. He had stood several contested elections, and never hired an attorney nor asked any man for his vote. He could not afford to pay attornies, and, if he had hired them, he must have acted like some other hon. Members, who promised, but never paid. The attornies of the county of Somerset boasted that they could return any Member they pleased, and he believed that after the passing of the Reform Bill, the power of their body would be so far increased, that the first Parliament elected after it, might be called the attornies House of Commons.

Clause agreed to.

The 62nd clause, respecting the division of counties into districts for polling by justices in sessions, was read.

Mr. *Estcourt* rose to move an amendment under this clause as it stood in the Bill. The Justices assembled at the Quarter Sessions were to fix the places for taking the poll, and his objection was, to imposing such a duty upon the Magistrates. Nothing was more desirable than that when the Justices of Peace assembled at the Sessions, they should not be called upon to mix their magisterial functions with local and party politics, and should not have any duties imposed on them which did not strictly belong to their offices as Justices. Every one must see that fixing the places for taking the poll in the county might be of material importance to a candidate; and leaving this to be determined by the Justices was laying them open to a charge of partiality. What he would suggest as a remedy was, to specify the places at which the poll should be taken in the first instance; which, he contended, might be done easily and consistently in the Bill which was to be brought in, to fix the boundaries of counties, cities, and boroughs. There could be no difficulty in the House fixing the particular places in each county at which it was fit the poll should be taken, and the Commissioners appointed by the Government would be able to furnish his Majesty's Ministers with such information as would render the arrangement perfectly easy and satisfactory. The hon. Member concluded by moving an Amendment to the effect that the particular places in which the poll should be taken in every county should be hereafter specified.

Lord *John Russell* said, that an amendment in the spirit of that proposed by the hon. Member should be prepared before the next sitting of the Committee.

House resumed—Committee to sit again on Monday.

HOUSE OF LORDS,

Monday, February 13, 1832.

MINUTES. Bills. Received the Royal Assent; the Buckingham Palace Bill; the Court of Session (Scotland) Bill; the Woods, Forests, and Land Revenues; the Lottery Office Outstanding Claims, and the Embezzlement, Bills.

Petitions presented. By Lord CLONCURRY, from the County of Dublin, for Parliamentary Reform; and from the Inhabitants of Monstrevan, for the Abolishment of Death for the Crime of Forgery:—By the Duke of RICHMOND, from the Licensed Victuallers of Brighton, for an alteration of the Common Law, imposing upon them Oppressive Liabilities.

CHOLERA MORBUS.] The Marquis of *Lansdown* would beg permission, without having given any previous notice, to move, that there be laid upon the Table certain papers which he considered very material for their Lordships' information. The papers to which he alluded were certain Reports which had been made to the Privy Council relating to the subject of Spasmodic Cholera. He had no hesitation to state, that he moved for the production of these documents in order to lay the foundation of a measure which it was the intention of his Majesty's Government immediately to introduce. The object of this measure would be, to enable parishes to tax themselves, for the purpose of defraying the expense of the means which might be resorted to for the mitigation or prevention of this malignant disease. This they could not do at present. He was aware, that such an Act could not originate in that House, but it would be immediately brought into the other House of Parliament, and it was probable their Lordships would be speedily called upon to give it their sanction.

Returns ordered.

MAGISTRACY (IRELAND)—FEES ON COMMISSIONS.] The Earl of *Wicklow*, in rising to call the attention of the noble and learned Lord opposite to the question, of which he had given notice, begged to impress upon him, and upon the House, the deep importance of the subject to which it would relate. In the situation to which Ireland was reduced, it had become an urgent and practical question whether that country was to be deprived of the great distinguishing feature of British jurisprudence—an unpaid Magistracy; and whether, in consequence, the whole course of the administration of justice was to be stopped by the closing of the inferior Courts; and the Government be compelled to supply their place by the appointment of stipendiary Magistrates. The Justices of Peace in Ireland complained, and, he thought, with much reason and justice, that they were required to pay fees on the renewal of their commissions, which were not only much higher than the fees charged to Magistrates in this country, but which were in themselves illegal. If their complaint was well founded, Government was bound, not only to protect the Magistrates of Ireland from this attempted injustice, but to vindicate them from the aspersions which had been cast upon them in another place, where, upon no other ground than their resistance to what they considered an unjust exaction, their conduct had been described as similar to that of the peasantry, who, in defiance of the law, resisted the payment of tithe. When he before called the attention of the House to the subject, he had entered into some details respecting it, which he would not now repeat. He had then hoped to elicit some information upon the subject from the members of the Administration in that House. He had, he regretted to say, been disappointed. Circumstances, however, remained unchanged. The Magistrates of Ireland, or at least the great majority of that body, still refused to submit to this extortion, and did so under the strongest impression that the demand was illegal. He was glad, at length, to see his noble and learned friend, the Lord Chancellor of Ireland, in his place; for he felt confident, from his great talent and experience, that he would duly estimate the importance of the subject, and be willing to pay to it the attention it deserved. He now begged to ask the noble and learned Lord if he had any reason to expect that the Magistrates of Ireland would soon be induced to return to the discharge of their customary and necessary duties?

Lord *Plunkett* was satisfied, that the noble Lord had made this appeal to him from no unfriendly motive, but the very contrary, and he would reply to it in the same spirit. Whether he should afford the noble Lord that satisfaction which he was desirous to obtain on this subject, he could not tell; but this he begged to say, before he went further, that the state of this case was much altered since the noble Lord had, on a former occasion, adverted to it in that House. With respect to the grounds on which the payment of those fees was resisted by the Magistrates in Ireland, he apprehended that they had not been correctly stated. A great number of the Magistrates had certainly declined to pay those fees, but amongst the grounds assigned by them for doing so, as far as they came to his knowledge, there was no allegation that the fees were illegal. The Magistrates in refusing to pay them merely stated, that they conceived that there was great injustice and impolicy in their being called upon to pay fees on the taking out of their commissions, which were not required of the magistrates of this country. That was the ground, as far as he had understood the matter from the Magistrates of Ireland, on which they resisted the payment of those fees, and not on the pretence of their being illegal. Now, with respect to that point, he begged to say a word. At the time the Magistrates in Ireland made those complaints, the law in Ireland differed from the law in England on this subject: all fees on demise of the Crown, with very few exceptions, having been abolished in England by Act of Parliament, and especially by the 1st of William 4th. That was a law, it was to be recollected, passed under the late Administration, and there existed a Treasury minute which had been made by the Lords of the Treasury under the late Administration, in reference to it. He did not mean to say, that for that law, and for that Treasury minute, his Majesty's present Ministers were not responsible: what he meant to say was, that all he had to do was, to the best of his judgment, to execute the law of the country. One of the provisions of the Act to which he had just adverted was, that compensation should be made to several persons who would be entitled to certain fees on the demise of the Crown, and for the labour then performed by them. On that Act the Treasury sat, and in the month of September, 1830, that minute was made, to which, before he sat down, he should call the attention of their Lordships. Since he had arrived in London during the last week, he had, for the first time, heard it alleged, that the fees which the Irish Magistrates had been called upon to pay could not be legally demanded. It was his bounden duty to see, that no illegal fees were demanded by those persons or officers who might be considered as peculiarly under his control: if it appeared that any illegal fees had been so demanded, it would, in that case, have been his duty to have instituted an inquiry into the matter. But no such allegation was made by the Magistrates in Ireland on the subject, and it was not, as he had already said, until his arrival in town, within the last few days, that he had heard that an allegation to that effect was made in another place. The fees in question were payable to the Lord Chancellor's Secretary, his purse-bearer, and train-bearer, and to the hall-porter. He had no reason to doubt the legality of those fees, the more especially as the commissioners who had been appointed some years ago to inquire into the courts of justice in Ireland, and who in their reports censured some fees as unjust, and said they were such as ought not to be enforced, had not passed any such censure on the fees in question. In fact, those fees had existed from time immemorial. They were to be found in the list of fees published by the House of Lords in 1734, and they were legally payable under an Act of Parliament passed at that time. He was not, of course, under such circumstances, to be held personally responsible for the fees demanded in his office, unless he had reason to think that such fees were illegal, and should not be demanded. The insinuation that had been thrown out, that the fees were larger than they ought to be, and that he had acted in this affair in a manner that he ought not to have done for the interest of the receivers, because the individual who filled the office of his secretary was his relative, was an imputation, he believed he might say, totally unworthy of his character, and he was sure that he might safely oppose the whole tenour of his life to such an unwarranted charge. It had been remarked by a learned person in another place, that the Lord Chancellor of Ireland's Secretary only received a salary of 500*l.* a-year, and that learned person did not know what became of the remainder of the allowance usually appropriated to the person who held that situation. He was sure that that learned individual could not possibly mean to convey by such a statement as that, that he (Lord Plunkett) would endeavour to make up for a deficient salary to his secretary by the enforcement of illegal fees, or by any unworthy or unjustifiable means of such a description. The simple facts of the case were these:—When Sir Anthony Hart was appointed Lord Chancellor of Ireland, he named Mr. Long to be his Secretary. When he succeeded Sir Anthony Hart in that office, he nominated his nephew, Mr. M'Causland, to the situation of his Secretary—a person who, he would take upon himself to say, was perfectly competent to discharge all the various duties of that office. However, Mr. Long having had much experience in that situation, and several Barristers having expressed a desire that he should continue his services to the Court, at his request, Mr. Long agreed to assist his Secretary, and on that condition he agreed, that his secretary, out of his emoluments, should pay Mr. Long 500*l.* a-year. Mr. Long having already filled the office, and being well acquainted with its duties, he thought it right to secure his services, and he would leave it to their Lordships' judgment to say whether he had not been warranted in doing so. He begged, once for all, to say, that he did not in any manner share in the emoluments of any person appointed by him. Of course no such charge had been preferred by any gentleman against him, but he satisfied his own mind in making the declaration. It had been said, that the demand for those fees was illegal, as the warrants were not made out at the time. He should not trouble their Lordships at present with a discussion as to whether they were legal or not, but he begged to say that he certainly considered them legal. The warrants signed by him on the demise of his late Majesty were thirty-two in number, for the thirty-two counties in Ireland. There were not warrants for each individual Magistrate, but the warrants in question contained the names of every Magistrate in the particular county to which such warrant was addressed, and it appeared to him that a warrant for the whole of the Magistracy was a warrant for all the Magistrates individually. The usual course, then, for each particular Magistrate to pursue was, to apply for his own warrant to the office of the Lord Chancellor's Secretary, which warrant was not signed by the Lord Chancellor, but by the Secretary. It was then sent to the Clerk of the Hanaper, and then the *dedimus* was granted, without which the Magistrate could not act. As he had already said, he had never heard it asserted that the demand for these fees was an illegal one until he arrived here last week, and the moment that such an assertion reached him, he put the matter in train for the purpose of obtaining the opinion of the Attorney General of Ireland with regard to it. It was under the Treasury minute of September, 1830, over which he had no control, that those fees were demanded; and, under such circumstances, he (Lord Plunkett) had no right to interfere with the legal claims of those who demanded those fees, or to tell them that they should only demand the same fees that were enforced in England. It was said, that the labour in this instance had been exceedingly little, if any at all. Now, he could assure their Lordships that the clerks in his Secretary's office had, during the last four or five months, been laboriously employed, ever since the measure of appointing Lords Lieutenants of counties in Ireland had taken place, in maintaining a continual correspondence, under his (Lord Plunkett's) superintendence, with the Lords Lieutenants of counties there, the Assistant Barristers, and the Clerks of the Peace, on the various subjects connected with the administration of justice in their respective counties. The Treasury minute, made under the late Administration, and to which he should now refer their Lordships, was dated September 28, 1830. The Lords of the Treasury having met on that day, proceeded to consider the Act of Parliament which had been just passed relative to the fees payable on the demise of the Crown, and he would read an extract of the minute which they had made on the subject. The extract was to the effect that the Lords of the Treasury, considering the number and variety of the instruments that were to be renewed on the demise of the Crown, did not think it possible to fix the remuneration for each individual case, but that they deemed it more advisable, that in all such cases there should be a specific average rate of remuneration awarded proportionate to the amount which the person making out such an instrument would be entitled to claim under ordinary circumstances, regard being had to the labour required in the preparation of the said instrument. The minute proceeded to state, that it was the opinion of their Lordships, that in all such cases, a moiety only of the fees payable under the Act should be paid to all such persons, as being a due and proper remuneration for the labour performed. He (Lord Plunkett) was not aware of the existence of this minute until he heard of it from his noble friend (the Secretary for the Home Department). That noble Lord, immediately after the accession of the present Administration to office, wrote to him (Lord Plunkett), as to the necessity for having the Commissions of the Magistrates that had expired on the demise of the Crown renewed. In reply, he stated to the noble Lord that there would be no delay on the subject, but that it would be necessary for the Lords of the Treasury to fix the remuneration for making them out. Accordingly, his right hon. friend the Secretary for Ireland, wrote to the Lords of the Treasury, to know what that was to be. The Lords of the Treasury then made a minute which was dated the 4th of November, 1830, confirming the principle of the minute made in the previous September, and stating that such remuneration should be given as was sufficient to compensate the officer for the actual time and labour employed in preparing such instruments. Copies of these minutes were transmitted to him in Ireland, and it was then for the first time that he was aware of their existence. On perusing them, he had no doubt that their meaning was, that a moiety—that was to say, that one-half—of those fees that had been hitherto payable should be paid for the preparation of those instruments, and his right hon. friend, the Secretary for Ireland, had also no doubt that the Act of Parliament, and the Treasury minutes made under it clearly and explicitly meant that one-half of those fees should be paid. However, on his (Lord Plunkett's) arrival in London last week, he found, to his great surprise, that it had been stated in another place, that it was the opinion of the Lords of the Treasury that there should be no compensation given, unless for the actual labour done; and, on inquiry, he found that such really was the case, and that a minute had been made by their Lordships so far back as January, 1831. The noble Lord having read that minute, which was to the effect he had mentioned, proceeded to say, that if this minute had been issued in the previous November, instead of the one that he had already read to the House, none of the mistakes that had taken place would have occurred. He had given orders to have the fees to the purse-bearer and the train bearer discontinued, and he had sent orders to his Secretary to demand that amount of remuneration only which was due for the actual labour done, in accordance with the principle laid down in the Treasury minute of January, 1831. The noble Lord would now see what he meant when he said that the state of this case had been much altered since he had adverted to it on a former occasion. He trusted that he had satisfied the House that he had acted in this matter merely under an erroneous impression, in consequence of his not having been made aware of the existence of the Treasury minute of January, 1831, and he begged to thank the noble Lord for having afforded him this opportunity to make the explanation that he had given to their Lordships.

Viscount *Lorton* congratulated their Lordships on the statement just made. It promised a speedy settlement of the question which had excited the deepest interest, and produced the most alarming consequences, in Ireland. The Magistrates were fully borne out in their opinion, that the fees demanded were illegal, by the explanation that had been given by the noble and learned Lord.

The Earl of *Wicklow* said, he had not received an answer to the question which he had put to the noble and learned Lord, namely, whether, under existing circumstances, Magistrates would be willing to take up their warrants? The explanation given by his noble and learned friend afforded him at least one piece of information, as it proved to him that the right hon. Secretary for Ireland ought to have been better acquainted with the subject than he appeared to have been; otherwise he would not have thrown out those gross aspersions on the Magistracy of Ireland, in which he had thought fit to indulge. That right hon. Gentleman ought to have attended to the situation of Ireland during the four weeks which had elapsed in the recess. Why the right hon. Gentleman had not done so, he could not tell; but it was a fact worthy of notice, that it was precisely during those four weeks that the mistake or misapprehension had occurred, and had he been acquainted with the circumstance, it might have been satisfactorily arranged. If there were any thing in the atmosphere of Ireland so hot and fiery that the right hon. Gentleman could not bear it—if his constitution were not *salamandrine* enough to endure the climate—he had better retire from the office, and make room for those who would attend to its duties.

Lord *Plunkett* said, that, in his opinion, he had given a very plain answer to the interrogatory of the noble Lord. He thought that the Magistrates ought to have submitted to the inconvenience of paying their fees, whatever question might afterwards have arisen, and thus have maintained their usual situation in society. They should not, on the mere allegation that justice was not done to them as it was done to the Magistracy of England, have abstained from paying the fees, and continuing to perform their important duties. Now, however, that the matter was explained by the last Treasury minute, he had no doubt that the Magistrates would proceed in their usual course.

The Marquis of *Clanricarde* thought that the observations which had been made with respect to the right hon. the Secretary for Ireland were wholly uncalled for. So far as he knew that right hon. Gentleman, personally, or by reputation, he was the last person who could fairly be accused of neglecting his duty. There never was a Secretary for Ireland who possessed more ability, or who, in the performance of his duties, evinced greater zeal, application, or attention.

Lord *Cloncurry* observed, that looking back to the old time, and the old system, mere paupers were not unfrequently elected to the magisterial authority in Ireland, for the purpose of serving party and political purposes. He believed that at one period, about a moiety of the Magistracy stood in that situation. At the demise of George 3rd, not more than one-third of the Magistrates paid their fees. He was certain that no Gentleman of property and respectability would refuse to pay those fees. The former fees, though exorbitant, were discharged; but how? Why they were handed over silently from one Member of the Government to another.

The Earl of *Limerick* denied that the statement of the noble Lord, with reference to persons formerly placed in the commission of the peace in Ireland, was correct. The noble Lord asserted, that during a long period in the reign of George 3rd, paupers were named as Magistrates for political purposes. He never knew that persons of that description had ever been placed on the list of Magistrates; he was not aware of any political purposes that the Magistrates were called upon to serve. Gentlemen were appointed to save the country from rebellion, and to prevent any set of persons, high or low, from overturning the constitution of the land; gentlemen were selected who would not associate with the rabble, or with those who encouraged them in the infraction of the law. When the noble Lord said, that a moiety of the Magistracy, at the time of which he spoke, were paupers, and were appointed merely for party purposes, he ought to have known better than to make such an assertion.

Viscount *Clifden* was sorry to differ from the noble Earl who spoke last, but he believed that no doubt existed as to the appointment of improper persons to the Magistracy of Ireland.

The Marquis of *Westmeath* said, the Magistrates, than whom a more zealous or praise-worthy body did not exist, refused to pay the sum demanded, though it was small, because they considered that it was an improper charge.

Here the matter ended.

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HOUSE OF COMMONS,

Monday, February 13, 1832.

MINUTES.] Returns ordered. On the Motion of Mr. HUNT, of the Number of Military Court Martials which had sat on Private Soldiers, from the 1st of January, 1831, to the 1st of January, 1832, detailing the Nature of the Accusation, and the Number of Lashes inflicted in each Case where the Party was found Guilty:—On the Motion of Mr. POULETT THOMSON, of the quantity of Wool Imported and Exported from 5th January, 1831, to 5th January, 1832, with the Amount of Duties paid:—On the Motion of Sir ROBERT PEEL, for Copies of all Correspondence that had taken place between Individuals, the Water Companies, and the Treasury, relating to supplying the Metropolis with Water:—On the Motion of Mr. BERNAL, of all Sums received by the Corporation of the Trinity House from the Thames River Pilots, in pursuance of Act 6th George 4th, and the Names of the Persons holding Licences as Pilots:—On the Motion of Mr. CURTEIS, of any and what provision made to Instruct Prisoners in Reading and Writing, in pursuance of 4th George 4th, Cap. 64:—On the Motion of Sir WILLIAM RAE, of the Number of Judicial Factors appointed by the Court of Session, Scotland, in each of the last five years:—On the Motion of Mr. RUTHVEN, of the Number of Stamps issued to each Newspaper in Ireland in each quarter, from 5th January, 1830, to 5th January, 1832.

Petitions presented. By Sir EDMUND HAYES, from the Landholders and County Cess-payers of the County of Donegal, complaining of the Amount of these Taxes:—By Mr. EVELYN DENISON, from the Inhabitants of Mansfield, against the General Register Bill.

LONDON BRIDGE APPROACHES BILL.] Mr. Alderman Wood having moved the second reading of this Bill,

Mr. *Briscoe* said, that he wished to have the Committee on this Bill postponed for three weeks, and if the hon. member for the City would not consent to that, he should oppose the second reading. Mr. Rennie, in stating his opinions with respect to the New London-bridge, had particularly alluded to St. Saviour's Church, and the beautiful chapel attached to it, which had recently excited so much public attention, and had remarked, these objects, would form a fine architectural feature by being opened to public view. But would the House believe that the London-bridge committee were now about to shut out the prospect of that church altogether? Within the last two years, a sum of 30,000*l.* had been expended on this church, and this ought to weigh with the House not to allow of its exclusion from public view. He (Mr. Briscoe) only asked the Bridge Committee to give up the small space of 130 feet. The Bridge Committee were willing to give seventy, and surely the additional sixty feet could not be any great object when the subject was properly considered.

Mr. Alderman *Wood* said, that it was rather odd in the hon. member for Surrey to oppose the second reading of a Bill which was to give permission to make the opening he sought. At present the Committee had a bill which would close the view altogether, and this was to remedy that omission. The Committee, far from being blameable, had actually gone to a great expense in having Mr. Smirke to make plans, and had fully satisfied the people of the Borough, by giving seventy feet for an opening. Let the Bill be read a second time, and if there were anything in the case, let it be examined in the Committee up stairs, which had the power of adjourning from time to time until they were fully informed on the subject. If the Bill were not passed, the City would be deprived of a great and noble street opening from the river into the heart of the town.

Mr. *Cressett Pelham* would not give his assent to a grant for more money than was actually necessary, and he thought Gracechurch-street was quite enough.

Mr. *Hunt* said, that the Bill was for the London side of the bridge, and moreover the Committee had given those at the Surrey side all they had asked for. He was no Antiquarian, and though he might be considered Gothic, he must say that, in his opinion, what was called the Lady Chapel was a nuisance, by shutting out the view of the beautiful church.

Mr. *Davies Gilbert* thought the Bill ought to be read, and, either in the Committee, or on the third reading, any clauses deemed advisable might be introduced.

Mr. *Briscoe* said, with that understanding, he would not oppose the second reading.

Bill read a second time. Ordered to be committed.

Education (Ireland).] Colonel *Conolly* presented a Petition from the inhabitants of Mayne, in the county of Westmeath, against the proposed plan of education for Ireland, and deploring the withdrawal of the grant from the Kildare-street Society. The petitioners deprecated, in the strongest possible terms, the project advanced by his Majesty's Ministers under the pretence of conciliating all parties in Ireland and which was about to be generally carried into operation, having for its object the limitation of the diffusion of the Sacred Scriptures. The petitioners implored the House not to permit such a plan to be carried into effect, and they declared that it was utterly impossible that the Protestants of Ireland could coalesce in this plan, for, as Protestants, it must be odious to them, and as Christians, they could not submit to it. They therefore, prayed the House to withdraw their sanction to the measure, and to continue the grant to a society which was one of the principal means of spreading peace and happiness through the country, by the dissemination of the Sacred Scriptures in their full and unmutilated form. He most cordially supported the prayer of the Petition, as it was in his opinion, a monstrous proceeding to call upon people to submit to the mutilation of the word of God. It was an absurd endeavour of a few persons to set up their own private judgment against the laws of their Creator and to attempt to modify or alter them at their pleasure. It was, in point of fact, waging war with the dignity of Heaven.

Colonel *Rochfort* felt great pleasure in supporting the prayer of the Petition just presented by his hon. friend, the member for Donegal, and which he could state was most respectably signed. Whilst on his legs, he would take the opportunity to refer to a petition presented on a former day by his hon. colleague (Mr. Chapman), when he unfortunately was not in his place. That petition was stated to be signed by a clergyman of Westmeath. He considered it due to the clergy of that county to state, that the gentleman alluded to, was not a beneficed clergyman, or even a curate; he was several years ago admitted to orders, but had long since given up the Church. He begged further to remark, that the petition did not appear to have been signed by even those few landed proprietors who generally agreed with his hon. colleague in politics. He must take this opportunity of expressing the satisfaction he felt at what was said in another place some evenings since by the noble Lord at the head of the Government, and expressed his conviction that if it had been made before, it would have saved many lives.

Mr. *Chapman* was willing to bear his testimony to the respectability of the parties who had signed the petition just presented; but, nevertheless, he must assert, that it did not express the sentiments of the majority of the county with regard to the new plan of education for Ireland. That this new system was opposed, he did not deny; but the opposition was limited to one party of Protestants. The Moderator of the Synod of Ulster observed, that without some plan of this kind, education could not be carried to any great extent in Ireland. He regretted that his hon. colleague was not in his place on the occasion to which he had referred, as he appeared to have misunderstood him with regard to his having said that a certain petition was signed by a Protestant clergyman. He had not said so, but he begged, in conclusion, to assure the House, that the feeling in favour of the present system of education was much more general than was imagined.

Sir *Robert Bateson* apprehended that the hon. Member was quite mistaken on one point. The remarks which he attributed to the Moderator of the Synod of Ulster emanated from a Mr. Cooke, who was a very distinguished individual, but not the moderator.

Mr. *O'Connell* thought the hon. member for Donegal was filled with religious zeal, when presenting a petition against the proposed plan of education for Ireland. If any system of education went to leave out a part of religious information or doctrine which was disputed between Protestants and Roman Catholics, they were told this was a mutilation of the word of God? Would the hon. Member compel Catholic children to be taught those doctrinal portions of religion in which their fathers did not believe? Would he have Protestant children forced to learn the Roman Catholic's creed. What was the principle upon which this system proceeded? It was that of education in common—of educating the children of Protestants and Roman Catholics together. The hon. Gentleman wished the Roman Catholics to submit to his decision; but would it be right for Protestants to submit to a Catholic education? Certainly not! In like manner the Roman Catholics were unwilling to submit to a Protestant system. The Government had wisely endeavoured to unite both parties, adopting a plan recommended by the Rev. Dr. Sadler (of whom he would say, that there existed not a man more entitled to public praise). He, with the Roman Catholic Bishop of Dublin, came to this arrangement. They agreed that, for four days in every week, the children should read certain extracts from the Old and New Testaments, so selected that no objection could rationally be made to them by Protestant or Roman Catholic. A difference of opinion prevailing upon certain points, they deemed it wholly unadvisable to put the Bible in its entire form into the children's hands. They looked out those general passages which inculcated universal charity and benevolence. On this course, then, there surely could exist no difference of opinion among real Christians. From these passages they formed a book for the perusal of the children four days a-week. Was that mutilating the word of God? To this plan every rational man must assent. Two days in the week the Protestant and the Catholic children were taught their respective catechisms. The Roman Catholic children, on these two days, were instructed in religion exclusively, and apart from the Protestants: if they chose to bring a Bible with them, they were at liberty to do so. Thus four days were devoted to the perusal of these selections from the Scriptures; and two days (besides the Sabbath) to doctrinal religion exclusively, each child being taught according to the doctrines in which it was to be brought up. Could there be a fairer system proposed? He asked men of common sense, whether those persons who opposed it were not deceived by some interested individual? Might not the learned Member, the Recorder for Dublin, be wrong, when, in the height of his zeal, he offered a determined resistance to such a system, and, as it were, cried out "To your tents, oh Israel?" He felt satisfied that the Government had acted with great discrimination in adopting the plan in question. But if there was a feeling against it, he met the opinion of the parties opposed to him with that respect which he was always disposed to shew to the sentiments of those who differed from him upon religious questions. But let them have no forced consciences. He had seen the misery arising from a course calculated to coerce them. It was that course which originated the tribunal of the Inquisition—it had been that course which had led, in Ireland, to the cruel treatment of landlords. To such a course was to be attributed the worst of horrors.

Mr. *Shaw* had not intended to trouble the House upon the present occasion, had he not been called up by the observations of the hon. and learned Member. He was persuaded that the Table of the House would be covered with petitions of a similar character to that presented by his hon. friend. He himself had one to present, which would deserve the most serious attention of the House, coming, as it did, from the most influential and respectable persons in Dublin, including many of the highest characters of the church and the law. He had never wished to draw any invidious distinction between Protestants and Catholics in a religious sense, but he differed wholly from the view taken by the hon. and learned Member, when he said, that the proposed system of education was in accordance with the Bible: he asserted the very contrary. What the Protestants desired was, not that extracts from the Scriptures should be forbidden, but that the Government should not attempt to put down one system, founded upon the whole Bible, to substitute another, founded upon a part of it. The hon. and learned Member said, Catholics ought not to submit to Protestant dictation; but, in answer to that, he would tell the hon. and learned Member, that Protestants would never allow the Bible to be withdrawn from their children at the dictation of Catholics. Protestants had already gone to the very verge of compromise to effect a mixed education. In the plan of the Kildare-street Society, they had allowed the Bible to be read in the schools without note or comment. They excluded all catechisms and books of religious controversy, and they admitted Catholic in common with Protestant teachers. He would not disturb the panegyric the hon. and learned Member had pronounced upon the Catholic Bishop of Dublin, and Doctor Sadler, further than by saying, that the Protestants of Ireland of every denomination were opposed to the proposed measure, and would never submit to leave the standard of the Bible for a book of mutilated extracts. The hon. and learned Member had so directly alluded to what he had said in another place, that he felt it necessary to reply in a few words. He had there said, that the Protestants were willing to obey their superiors "in all things lawful," that they continued to yield a willing obedience to the laws, even after these laws had ceased to protect them, but if it became a question between God and man, between human authority and the Scriptures, then the Protestants of Ireland would be found ready to lay down their lives for their Creator and his doctrines, rather than desert them for any human authority whatever.

Mr. *Wyse* said, the simple question was, whether the funds of the whole country were to be applied for the good of all, or for the use of a part only, of the people. If the former position was correct, then the Catholics had a right to their full share. The great error in the late system was, that the Bible was to be read without note or comment; this the Catholics objected to, and the Protestants then said, "you must take this, or none." Let any system whatever be adopted, the Catholics had no desire to interfere with the education of Protestant children, and they only required the same measure to be dealt out to themselves; and surely it was worth while to endeavour to promote cordiality by educating children of both persuasions together, by which early union of sentiment mutual good feelings might result in after-life. As to the mutilation of the Bible, which had been so much insisted on, he begged leave to ask, whether there were not passages in that Book unfit for the eye of youth, and for females more especially. And whether there were not other passages so subtle and abstract as would only lead to confusion and error by being placed in the hands of youth. These reasons guided the Catholics in their wishes not to intrust the whole Bible in the hands of children of either sex, and the Protestants themselves acted on this very principle, for they used an abridgment of the Scriptures, and a history of the Bible drawn up by some of the greatest divines of their creed. Further the proposed plan of education was very nearly similar to that of several of the continental states, and of the United States of America, in which the object contemplated was, to educate the youth of all persuasions together, and he could not conceive that the Exclusive Protestants of this country had higher claims to religion than the people of other countries. He, therefore, hoped the Government would persevere and go through with that plan which they had already so well begun.

Mr. *Lefroy* said, it was well known that the Catholic opposition to the Kildare-street Society was founded on a Bull from Rome, so that the Government was presenting the extraordinary spectacle of legislating in common with that court, an event which had not been seen since the reign of Mary. As to a selection being agreed on from the Bible, between the Catholic Archbishop of Dublin and Doctor Sadler, he had not before heard of it, and very much doubted the fact. With respect to the assertion of the hon. member for Tipperary, that portions of the Bible were not fit for the eye of children. That hon. Member's fastidiousness might find such passages, but no Protestants ever met with them.

Mr. *Wyse* had never attempted to throw the slightest imputations upon the Scriptures, he had as high a veneration for them as any man, but what he meant to convey was, that from the time at which they were written, and from some peculiar expressions they contained, certain parts of them were not fit for the perusal of young females; and the more recondite parts were not adapted for youth generally.

Mr. *Ruthven* thought the question was one of good Government, rather than of religion, and he regretted to see so much heat on both sides. The hon. and learned member, the Recorder of Dublin, had declared, that the Protestants were ready to support their religion against all human authority; he, as a member of the Protestant Church, wished to see it supported on its own merits; his ideas of it were, that it preached peace and good-will unto all, and did not require blood for its support. He knew that many Protestants of Ireland were of the same opinion, and, therefore, approved of the proposed plan of education, but the exclusive Protestants, he verily believed, would rather have no education at all, than share it with their Catholic countrymen.

Petition to be printed.

CHOLERA MORBUS.] Mr. *Croker*, seeing the right hon. the Vice-President of the Board of Trade in his place, begged to ask a question on a subject which had excited considerable sensation throughout the town. A report had been circulated, and he believed had been pretty generally credited, to the effect that several cases of Cholera Morbus had appeared in the lower parts of the town towards the river. This report was in circulation so early as Saturday last, but he had just heard a further report, which stated that similar cases had appeared in the higher parts of the town. It was with a view of ascertaining, as far as possible, the correctness of those reports that he then intruded upon the attention of the House. He felt assured, and he trusted that his Majesty's Government would agree with him in thinking, that the best possible mode of preventing unnecessary alarm, and of satisfying the public mind, was to have no mystery whatever on the subject, and he therefore begged to ask if the reports which he had mentioned were founded in fact, and whether it was the intention of Government to give the public any authentic information as to the origin and progress of the disease since its appearance in London?

Mr. *Poulett Thomson* felt no hesitation in replying fully to the question of the right hon. Gentleman. On Saturday last the Government received information that two cases which were deemed very suspicious as indications of Cholera had occurred at Rotherhithe. Immediately on this information being received, a deputation of medical men from the Board of Health was despatched to that place, and from their report, it appeared that the two cases at Rotherhithe were decided cases of Spasmodic Cholera. On Saturday information of the spread of this disease to Limehouse had been received, but, as far as he was then informed, it had not as yet extended further. He could assure the House, and the right hon. Gentleman, that his Majesty's Government fully concurred in the propriety both of satisfying the public mind as far as possible, and of putting the public fully in possession of the course about to be adopted by Government in such a trying emergency. For this purpose it had been determined, through the medium of the public Press, to give all the information which had been received by Government on the subject. The right hon. Gentleman would therefore find, in the public papers of that evening, a detail of all the information that had been received. Being on his legs, he would take that opportunity of stating, that every possible means had been and would be adopted by Government for the prevention of the spreading of the disease, and for giving to the public the most accurate details of its progress. Already district inspectors and physicians had been appointed, whose duty would be, to detail to the general Board of Health whatever might occur in their respective districts on the subject. Government was determined to exert all the means at its command to check the progress of the disease, and the right hon. Gentleman might be assured that every sort of information of the least use should be given to the public.

Mr. *Croker* was much obliged to the right hon. Gentleman for the explanation which he had given on this alarming subject. He would take that opportunity of suggesting to Government the expediency, before it was too late, of tracing the approach of the first case which had occurred. He made this suggestion from a conviction that much benefit would be derived from clearly ascertaining the mode in which that extraordinary disease made its appearance; and he thought if this inquiry was well followed up, it might eventually lead to a discovery of the manner in which it was propagated, and consequently enable the medical Faculty to have recourse to more effective measures for its prevention. He was sure, from the candid course adopted by Government, that they would be glad to receive any suggestion in such an emergency, and it was with such a view that he begged to offer with great earnestness, the recommendation that the earlier course, and particularly the first, should be carefully traced.

Mr. *Robinson* said, it having been now officially announced that the Cholera was in the metropolis, and as such a statement was likely very materially to affect our commercial intercourse, he trusted that Government would lose no time in allaying, as far as possible, the fears of foreign states, and thereby making the inconvenience and obstruction which were likely to arise as little as possible. This inconvenience would most likely be felt most strongly with regard to our distant colonial possessions; and he, therefore, hoped all unnecessary impediments to the sailing of vessels would be avoided, as the very length of the voyage was a sufficient security that no disease could be propagated by them. The most precise intelligence should be conveyed to foreign powers; lest in the absence of positive information they should refuse to admit English vessels into their ports. If their fears on the subject could not be allayed, at all events their doubts might.

Mr. *Warburton* hoped that Ministers would never lose sight of the primary object of their present exertions, which was to check the spread of the disease by every means in their power. It was his decided opinion that the disease had spread to the extent it had, in consequence of mercantile activity, and mercantile avarice and jealousy, causing Government to relax that vigilant check of all intercourse between infected and non-infected places. He, therefore, trusted, that Ministers would not be induced to imitate this dangerous example by any fears of the injury which the commerce of the metropolis would thereby experience. The mercantile interest was no doubt of great moment; but the public safety was a matter of far paramount importance, to which the interests of commerce must, if necessary, be made to give way. He hoped that he understood the right hon. Gentleman's declaration of the intention of Ministers to give the most full and prompt publicity to the progress of the disease, to include the distribution, gratis, of the Board of Health gazettes among the medical gentlemen of the country, so as to make them fully acquainted with its character, &c.

Mr. *Hume* was sure that the only effect of adopting the suggestion of his hon. friend, to cut off all commercial intercourse between infected persons and places, would be to aggravate tenfold the evils of the disease. They had sufficient data already before them to warrant this opinion. On the one hand, it was seen—such was the strange and as yet unaccountable progress of the disease—that the freest intercourse might take place between an infected and a non-infected place, without its spreading to the latter. There was, for example, the most unrestricted intercourse between Sunderland and Durham, and yet but one Cholera case occurred in the latter. And so in Glasgow, the disease had not shown itself in a single instance, notwithstanding its free intercourse with Kirkintilloch, and other infected places. On the other hand, the disease extended itself, in spite of the strictest precautions enforced by a despotic Government, through the means of the most rigid military cordon. The fact was, nothing was known of the mode in which the disease was propagated but this—that no precautions hitherto tried could keep it out, and that it did not extend to districts under, apparently, the most favourable circumstances of propagation. The only effect, then, of the proposition, to cut off all intercourse with infected places, would be, to add famine to pestilence, and aggravate tenfold the evils of both. No, the best preventive was, to provide the poor and destitute with wholesome food, and fuel, and raiment, and to enforce rigid habits of cleanliness. In those colliery districts in Scotland in which the disease had raged with most virulence, its victims were almost invariably the destitute and the uncleanly.

Mr. *Strickland* said, from all he could learn on the subject, he was convinced that attempts to stop the disease, by cutting off communication, would only increase distress without having the intended effect. The only thing to be done was, to try to improve the happiness and comfort of the people. He had two remarkable instances to adduce that under peculiar circumstances, the disease was not contagious. During the whole time of its raging in Sunderland, persons were sent from there to the county prison without communicating the disease, and though there was constant intercourse between the places, no instance of Cholera occurred. The other fact was that of 600 medical men who had gone to visit the hospitals at Sunderland, Newcastle, &c., not one of whom had been seized.

Sir *Henry Hardinge* begged to suggest that the military force should be, as speedily as possible, put into barracks. In Berlin and Vienna, where this system had been pursued, although the population suffered dreadfully, the troops had scarcely any loss to complain of. In Berlin, he believed, only twelve men died, and the loss was very trifling at Vienna. This was of course to be accounted for solely by the strict military discipline to which they were subjected, and to their being in barracks. It was true the military should be ready to expose themselves to all risk in common with the rest of the population; but to render them effective in the services they would be called upon to perform, it was essential to take all measures to keep them in good health. He submitted, therefore, that they should be at once removed from such places as Tothill-fields. If they were to be left there, it was scarcely possible they could escape infection, from the miserable population of such districts. He made no allusion to this from a doubt that all proper precautions would be taken by the Commander-in-Chief and the Government, but because he had lately received communications from Vienna and Berlin, stating the means which had been resorted to, to prevent infection, and the effects which had been produced.

Mr. *Dixon* implored the Government not to attempt cutting off or impeding the intercourse between different places. The only consequence of such a regulation would be, to produce famine and destitution among the working people, without having the effect intended. As another instance of the disease not being propagated by the present communication, he must mention that, although it had raged for some time at Kirkintilloch, and the intercourse between that place and Glasgow was frequent, yet not one case had occurred in the latter place.

Mr. *Briscoe* said, some of the parishes in London were in such a state as to call for the immediate attention of Government and the local authorities. In Bethnal-green, for instance, there were 6,000 persons receiving parish relief; and in the workhouse there were 1,100, with only 370 beds. There were also eighty cases of contagious fever, which was daily increasing. He had ascertained these facts from personal inquiry yesterday afternoon, and he earnestly recommended the subject to the attention of his Majesty's Government.

An *Hon. Member* stated, that he had heard the Lord President of the Council, in another place, move for certain papers, with an intention, if a bill was brought up, to facilitate their Lordships' legislating on the subject, which he understood was to to enable the Privy Council to take the most effectual means to prevent the propagation of the disease. He hoped that the same papers would forthwith be submitted to that House.

Lord *Althorp* assured the hon. Member that he would that evening lay on the Table documents respecting the Cholera, the same with those which had been presented in the other House. He also gave notice that it was his intention to move for leave to bring in a bill to give additional power to the Privy Council, for the purpose of adopting and enforcing means to prevent the disease.

Mr. *Goulburn* trusted the Privy Council would not be very delicate at such a crisis in enforcing any means they thought necessary to allay the public apprehension, and prevent the spread of the disease; and he was quite sure they might consider themselves fully authorized to act even before the bill passed through Parliament.

Mr. *Hunt* observed, that the wretchedness and disease in Bethnal-green was not confined to the workhouse: the whole population was in the most miserable condition. He trusted something would be done to place them in a better situation. He had already laid their pitiable case before the House, without much effect. He must now allude to the state of the atmosphere in the House itself, and he thought it absolutely necessary that some measure should be taken to purify it, as it was occasionally most fœtid and unwholesome, and peculiarly dangerous if there was any predisposition to disease. He appealed to Mr. Speaker to use his authority in improving the ventilation. He must say, that it would be very stupid in them to expose themselves to unnecessary danger, while they were deliberating how they might best provide security for others. He hoped something would be done to abate the nuisance. If the contagion reached the House, there would be flying right and left to get out of the way.

Poor Laws Inquiry.] Lord *Granville Somerset* was anxious to take the present opportunity of putting a question to the noble Lord opposite, in some measure connected with the subject which had been just under discussion, before the House went into a Committee of Supply. It was in relation to the pauperism of England. Within the last ten days, reports had gone abroad that Commissioners were about being appointed to inquire into the state of the poor, and the funds by which they were relieved. Whether the principle of the appointment of the Commissioners was good or bad, he would not now stop to discuss; but he wished to know, whether they had been appointed, and whether the noble Lord had any objection to state the nature of the instructions given.

Lord *Althorp* said, that the Commissioners about whom the noble Lord had put the question to him had not yet received their appointment, nor were the instructions of Government drawn up; however, as soon as they were, there could be no objection to their being communicated to Parliament.

Currency.] Sir James Graham moved the Order of the Day for the House going into a Committee of Supply.

Mr. *Stuart Wortley* was very desirous of putting a question to the noble Lord opposite respecting the Currency Question. He understood a report had been spread abroad, to which many people attached a belief, that there was some intention, on the part of his Majesty's Ministers, to alter the law which had passed in the year 1826, relating to the small-note restriction. It was of great importance that the public should not be under a delusion—if delusion it were—upon the subject; and, therefore, he begged to know, whether there was any truth in the report, that Government intended to propose any alteration in the Currency?

Lord *Althorp* was not aware that any such report had obtained belief; but he begged to assure the hon. Gentleman that, with respect to the Currency Question, his Majesty's Government had no intention whatever to propose any alteration.

Supply — Date of the Financial Year.] Mr. *Goulburn* wished the right hon. Baronet opposite to give some explanation of the reason why the Estimates were brought forward at this particular period of the year.

Sir *James Graham* said, that, in moving the Estimates it was his intention to state his reasons for adopting the course which he now proposed to adopt in bringing the Estimates at this moment before the House.

Mr. *Goulburn* had imagined, that it was the intention of the Ministers to adopt a new rule with respect to the Estimates, and to make the financial year commence on the 1st of April. If that was their intention, it struck him that, as a general measure, they would find themselves unable to continue it, and he should like to know the reasons for the alteration.

Lord *Althorp* said, that he should at once give an answer to the question, why the Estimates were now proposed, and why the financial year was intended to begin on the 1st of April. By the course hitherto taken, the Estimates had been proposed after a certain amount of the money had been actually expended, and, of course, that expenditure must have been made without the previous sanction of Parliament. It seemed to him an anomalous mode of proceeding, that they should vote the Supplies for the service of the year on Estimates, although, at the time the Estimates were submitted to them, a part of the expenditure had actually been made. With the view of avoiding that anomaly, he thought it more consistent with the privileges of that House, and with the theory of the Constitution, that the Estimates should be submitted for the ensuing year previously to the Supplies being voted, and before the Government had spent any of the money. In future years, that arrangement might easily be carried into effect, but, in the present year, there might be some difficulty in it. In future the financial year might commence in April. It might be said, that in selecting so early a period as April, there might be some difficulty in carrying the arrangement into effect. He admitted that a difficulty would be experienced;

but, he believed, that the plan would be found practicable after the first difficulties had been got over.

Mr. *Cressett Pelham* suggested, that, to enable the Ministers to carry their plan fully into effect, the House should resume its ancient practice of meeting sometime before Christmas. That would, on many accounts, be very convenient.

Sir *Robert Peel* said, that it must have frequently occurred to all persons that there was some anomaly in first expending a part of the public money, and then coming to the House to ask for a vote justifying that expenditure. If the plan now proposed could be effected without inconvenience, it would undoubtedly remove a great anomaly. But many points were to be considered before it could be carried into effect. The public service required that the Estimates should be voted for the year, before the 1st of April. Now, some time would be required for the examination of these Estimates, and the time between the meeting of the Parliament and the 1st of April would hardly enable them to give the Estimates that examination which it was always desirable to afford them. Suppose Parliament was called together on the 15th of January, he was afraid that there might be subjects of great interest — subjects, perhaps, of greater immediate importance than the Estimates—that would occupy the attention of Parliament. If that should happen, then, unless the House voted every Estimate before the 1st of April, there would be nothing in their arrangement. He hoped that the noble Lord would not be obliged to violate the rule he had laid down, even in the very first year of its existence. By the rule he proposed, the noble Lord gave himself no alternative but to proceed and vote all the Estimates before the 1st of April. He, however, had no objection that the experiment should be tried.

Sir *James Graham* agreed with the right hon. Baronet, that the success of the experiment depended wholly on the Estimates being voted before the 31st of March. They would necessarily be later this year than other years, because, as this was the first time that the arrangement had been attempted, it was plain it would force them to vote two Estimates in the present year, in order to bring up the arrears; whereas, in future years, one Estimate only would be required to be voted. He thought there was some force in the observations made by the hon. member for Shropshire. It had been the practice of the House to meet a short time before Christmas; but that practice had been changed, and he did not think it would be absolutely necessary to resume it in order to effect the object now proposed. He attached much importance to the intention of commencing the financial year on the 1st of April. It was one adopted in conformity with the Resolutions of a Committee, at which the right hon. Baronet, the member for the Queen's County (Sir Henry Parnell), presided. In the past year he had not been able to comply with the rule which the Resolution of that Committee proposed; for he had had to prepare the Estimates for fifteen months together, and to pass under review all the heads of expenditure of the different departments connected with that over which he presided. He believed he had not been unsuccessful in that labour. He had had to consider all the demands that would be made on account of foreign service, and to form an Estimate of their amount for some months. These labours necessarily consumed some time, and he had been, in fact, occupied for nearly five months upon them. He believed, undoubtedly, that great difficulty would be found in effecting the change; but the change, when effected, would, he was sure, be found invaluable, and if the House chose to enforce it, would secure that real control of the House over the expenditure which he desired to see established. If the House should henceforward assemble early in January, the existing Government would always find it necessary to lay their Estimates before them at a very early opportunity, which he had no doubt would be found perfectly practicable. He was now prepared to make the statement of the Estimates both for the quarter and the year, and he was not without some hopes that both might be found satisfactory.

Sir *Robert Peel* needed no authority to convince him of the desirableness of the plan, if it could be effected. In a constitutional point of view it was evidently preferable; but as there were obviously many difficulties in the way, he thought the most mature consideration should be given to it, so as to make the change complete at once.

Sir *Henry Parnell* said, that as he had been appealed to, he thought it proper for him to declare, that he had been most anxious that this rule should be introduced; for he conceived it to be a great absurdity to say, that Parliament was to control the public expenditure, and, at the same time, to allow a considerable portion of the money to be expended before the vote authorizing it was agreed to. With regard to this particular arrangement, it was in some degree connected with the Report of the Committee alluded to, for a great part of which he was personally responsible. Whether the 1st of April was the most proper day that could be proposed, was, perhaps, a subject on which there might be some doubt, but, for his own part, he was ready to say, that he thought that day would answer.

Mr. *Goulburn* was of opinion, that the matter should be made the subject of inquiry by a Committee. He was not disposed to make the experiment, ignorant as he was of all the facts on which the supposed necessity for it was founded. He thought there was a constitutional objection to the arrangement now proposed. By the original constitutional practice, that House was to assemble, not only to grant money for the public service, but, in the first instance, to hear and redress public grievances. The redress of grievance ought to precede the grant of money; but if this arrangement were carried into effect, he could not see how the House could possibly have time to hear and redress public grievances before they were called on to vote the Supplies. By the present system they had a control over the Crown, because they had a control over the expenditure itself, which they might refuse to warrant until any grievances of which they complained had been redressed; but if they were to be required to vote the Supplies before they had had time to hear and redress grievances, that control would be gone.

Mr. *Robert Gordon* rejoiced that this change of system had taken place, and he rejoiced the more, as the Ministry were now endeavouring to carry into effect the recommendations which they had made when seated on the other side of the House. He was well satisfied to hear what had just fallen from the right hon. Gentleman opposite, who had all at once become so anxious for the redress of grievances. It had been his fate to be opposed to the right hon. Gentleman for twenty years, and to maintain against that right hon. Gentleman that they were bound to enter on the discussion of grievances before they granted away the public money. He was glad to find that the right hon. Gentleman had now come round to his opinion. But the right hon. Gentleman had not explained how that object was to be effected by opposing this vote. If the right hon. Gentleman wished to secure, beyond the possibility of doubt ample time for the discussion of grievances, before money votes were passed, that object could be attained, not by reverting to the old system, which the right hon. Gentleman seemed to recommend, but by altering the time for passing the Estimates from the 1st of April to the 1st of July. That plan would completely answer the purpose, and give them full opportunity for redressing grievances before passing the money votes.

Mr. *Hume* was much pleased with the proposal now made by the Ministers. He thought that the practice, ever since he had been in that House, was unconstitutional. His Majesty had not legally the power to expend one single farthing, without the expenditure having first received the sanction of that House. The mere vote of a Committee of Supply did not authorise the expenditure; a Bill was required for that purpose; for it was competent to that House to alter their vote before the appropriation clause was passed. He agreed with the right hon. Gentleman near him, that the grievances of the people ought to be redressed before the money was voted; but he thought that, by the plan now proposed, that might be done, and yet sufficient time be left for the consideration of the Estimates. However, he thought that, to obviate all possible difficulty on that head, it would be as well that the financial year should commence on the 1st of July, instead of the 1st of April.

Mr. *Herries* denied the doctrine put forth by the hon. member for Middlesex, that an Act of Parliament must pass to legalise the expenditure of money, which had been the subject of a vote of that House. Such a rule would offer a most serious impediment to the public service, and would, in his opinion, affect the privileges of that House. The money might be applied on the authority of a vote of that House, and it was well known, that every Ways and Means Act contained a clause authorising such an application. They should not bind themselves so strictly upon this point, or else, on many occasions, they might severely embarrass the public service. On a recent occasion, when the Parliament had been dissolved suddenly, there had been no Appropriation Bill passed. The greater portion of the money required for the public service had been already voted, and the money required beyond that amount was so trifling, that he had not deemed it necessary to call the attention of the House to the money that had been so expended without authority. But if the hon. member for Middlesex really entertained the opinions he had just expressed, what a dereliction of duty it was in him not to have brought the subject before the House. With respect to the plan itself, he should only say, that he feared it would be found impossible to carry it into effect, under all circumstances. He saw no sufficient reason for departing from the practice which had prevailed for 100 years, but, as it was an experiment, he would not oppose it.

Lord *Althorp* considered it would be wise to establish a rule upon this point, and endeavour to act upon it as strictly as possible. He would allow, it might happen, that special grounds might exist, which would render it necessary to depart from that rule, but then this would be its exception. He considered the alteration an advisable one to make.

Sir *Henry Hardinge* said, it was rather ominous to have the financial year commence on the first of April; but he did not rise to make any further remark upon that subject. He wished to know if it were intended to introduce the Army and Navy Estimates early in the year, as it would be necessary that the Mutiny Act should pass by the 24th of March. If that were not so, a greater license would be given to Ministers in framing those Estimates.

Lord *Althorp* admitted it was of importance to provide for passing the Mutiny Act as early as possible; but, at the same time, it could not be necessary to advance it at an earlier period than April or even May. They were not bound to pass it by the 24th of March.

Sir *Robert Peel* thought this subject could be much better discussed in a Committee than on the present occasion. He wished the House to proceed with the Estimates.

Sir *Byam Martin* said, it would be very necessary to make certain naval contracts in February or March, which could not be then done with the consent of Parliament; and, on the other hand, if they were not made, great additional expense and delay would be sure to take place.

Sir *James Graham* said, he did not see that the difficulty just stated was at all insuperable. The contracts should always be made in reference to the stock of provisions and materials in the different stores on the public account. If any special or urgent case should arise, in which an extraordinary vote might be considered necessary, then he considered it would be proper for Ministers to come down to the House, and state the special case, and take the sense of the House upon it.

Mr. *Croker* said, it would be necessary to make the contract for provisions for the Navy as early as the month of October or November; and, in fact, unless the vote for the current year was agreed to at once, there would be at least half a-year during which the navy would not have supplies. He did not object to the proposed plan of only voting Estimates after a due examination by Parliament that they were necessary, for it sometimes happened that Ministers and Parliament did not agree upon the amount of Estimates either for the army or the navy.

Sir *James Graham* said, that there was almost invariably in the store-houses a supply fully equal to one year's consumption. If, however, any greater supply was necessary, it could be immediately provided by an application to Parliament.

The House resolved itself into a Committee of Supply.

SUPPLY — NAVY ESTIMATES.] Sir *James Graham* said, he should not find it necessary to trespass on the time of the Committee at any length by his present statement. In consequence of the dissolution of Parliament which took place last spring, it was necessary to bring the Estimates again before the House, and they had consequently been twice proposed and canvassed; and the present Estimates were merely the quarter Estimates of the entire sum voted for the whole year on the previous occasion. He had stated to the House, that he had been enabled by a balance which he found in the Exchequer at the end of the year 1830, to carry on the navy service until the 31st March of last year; and the object he had in view was, to effect the purpose which had lately been under discussion in that House—

namely, to make the financial year commence on the first of April. The balance which he found in the Exchequer last year was, 1,300,000*l.*, and the balance in the Exchequer in the present year was about 80,000*l.* more. The only other observation he had to offer on the subject of these Estimates was, that, in consequence of this sum being applicable to the service generally, he had thought it right, the sum being large, to follow the precedent set in 1816 by Lord Bexley, then Mr. Vansittart, who, in consequence of the considerable amount of supplies voted in 1815, and the shortness of the war which ensued on Napoleon's return from Elba, found a balance in the Exchequer of 3,000,000*l.* Lord Bexley adhering, as he (Sir J. Graham) contended, to the very letter of the Appropriation Act, came down to the House, and stated, in the opening of his financial view for 1816, that that surplus of supplies was to be considered as Ways and Means, not applicable to the particular service for which it had been voted, but to the general service of the country. In bringing forward his budget, Lord Bexley found that the sum which he had calculated at 3,000,000*l.* turned out to be 5,000,000*l.*, and he carried it to the Ways and Means. He had followed the same course. Having found a large balance in the Exchequer, and it having been the intention of Government to carry on the service for three months without applying to Parliament, he had thought it right to adhere strictly to this precedent. He, therefore, had considered the money as a balance of Ways and Means, and he came down to the House with three months' Estimates to obtain its sanction for the application of that balance to the general service. He was not aware that it would be necessary for him to go into further details on this subject. The supply voted last year had been more than sufficient to cover the expenditure; and only in two particulars had the Estimates been exceeded. The deficiency occurred under the head of timber and materials; the sum voted for which was, he believed, 810,000*l.*, in addition to 69,000*l.* arising from the sale of old stores. The sum expended was 10,000*l.* beyond the sums voted; but it would be seen by the papers laid on the Table, that there was a surplus of 47,593*l.* for re-payments, under the head of timber and materials, which would more than cover the extra outlay. The other Estimate in which a deficiency occurred was in the Victualling Estimate. It had been thought that 905,000*l.* would cover the whole expense; but, to his great surprise, he found that the outlay had greatly exceeded that sum; and that it would be necessary not only to take a vote for the year of 905,000*l.*, but also a vote for this quarter of 60,000*l.*, and he had every reason to believe that this further grant would cover all the debts contracted by former Governments. The right hon. Gentleman concluded by moving a resolution, that 32,000 men including 10,000 Royal Marines, be employed for the sea service for three months, commencing the 1st of January 1832.

Sir *George Clerk* had no objection to the amount of the naval force which was required, nor did he think it any want of prudence to hand over the surplus supplies of last year upon the naval Estimates to the general service. He thought, however, that the right hon. Gentleman was mistaking the Ways and Means for the Supply, and the Supply for the Ways and Means. It was true, that in 1816 the sums voted for both army and navy were subsequently not found to be necessary, and the surplus was handed over to the general service; but Lord Bexley then stated, that these sums would come in aid of the Ways and Means to meet other votes which were agreed to by Parliament. Indeed, unless the Estimates for these important branches of the service were so framed as to leave an available balance with Government, there would be no Supply for the navy and army for several months in the year. The right hon. Gentleman could not hand anything over of the Ways and Means to the Chancellor of the Exchequer of which that noble Lord could avail himself for the general service, for the Estimates now brought in to meet the million nine hundred and odd thousand pounds which remained over from last year would exhaust it all, and he feared, without much attention to the particular items to which it was to be applied. The right hon. Gentleman said, that certain claims were to be met which would require the addition of 115,000*l.* in the Victualling Estimate, and he (Sir G. Clerk) should like to know what these claims were. The victualling balance was stated in the papers on the Table, and if the right hon. Gentleman meant to act upon principle he should also have inserted the naval balance, which he (Sir George Clerk) did not perceive on the face of the accounts. The sea-pay due to ships on foreign stations should also have been set out in the statement produced, for that expense, amounting probably to half a million, would have to be defrayed upon the return of the ships to this country.

Sir *James Graham*, in answer to the question relative to the 115,000*l.*, said, that sum would be necessary to cover the charges which could be made good against the Victualling Board up to the 1st of March next, and previous to the consolidation of that Board with another. It was considered most desirable that this account should be wholly liquidated, before the consolidation took place. With regard to the naval balance, it was, he could assure the hon. Baronet, to be found in the account laid before the House, at the bottom of the balance-sheet, and amounted in round numbers to about 1,200,000*l.* With respect to the provision necessary for naval pay and pensions, it would not be necessary to call for it till about the month of April, when the general Estimates would be fully before the House.

Sir *George Clerk* said, if the principle on which the right hon. Gentleman was proceeding was a sound and good one, it should be equally applied to the Naval as to the Victualling Board.

Sir *James Graham* said, it was so, although it appeared to have escaped the attention of the right hon. Gentleman. He would take that opportunity to state, that another alteration had been made relating to payments. It had been usual to pay all demands on the Navy and Victualling Boards, by bills at sixty days sight. They proposed, in future, to substitute prompt payment, which would very much facilitate making up the accounts correctly to any given period.

Mr. *Croker* said, that with regard to the contracts made for the early part of the year, the principle of the right hon. Baronet would not apply, and such contracts must be made without the sanction of Parliament. He had long thought of the plan of the right hon. Baronet, and wished to facilitate it, but found the difficulties too great to hazard the alteration. Whether it would produce any saving to the public, he knew not; but it would certainly afford great convenience in keeping and examining the public accounts. He saw no objection to granting this vote of the quarter in advance, and then every year would hereafter stand upon its own merits. But it would be necessary for the right hon. Baronet to include the amount of the wages due to ships at sea. He approved of the change from payment by bills to prompt payment; but, in that case, too, it would be necessary to remember the sums, which being due abroad, could not be liquidated within the year.

Mr. *Hume* thought, that the present was an improved method of doing business, and he expected beneficial results from the alteration. He was surprised, however, at the same number of men being kept up, for he thought that a considerable number were to be discharged on account of the transference of the Coast Guard duty to the Custom-house. This arrangement would, of course, throw an additional expense on the Custom-house; and if there were to be no corresponding reduction in the navy, the expense would, in fact, be increased.

Sir *James Graham* said, that the Coast Guard would, under the new system, cost little more than half what it cost under the old. He might also mention, that there were several ships on their way home to be paid off; but this, though it would decrease the expense eventually, would require a considerable sum for the moment.

Sir *George Clerk* thought it would be right to have on the Table a return of the expense of the Coast Blockade. He had moved for it some days ago, for he thought that there was no great reduction of expense under that head.

Mr. *Spring Rice* said, that the Estimates referred to were preparing, and he thought he should be able to lay them on the Table in the course of the present week.

Mr. *Herries* thought that there had been a greater introduction of foreign goods under the new than under the old system.

Mr. *Spring Rice* thought that, if smuggling took place, it was not, at all events, of manufactured articles; nor could any increase that might have taken place be attributed to the alteration of the system.

Mr. *Robinson* said, he had no doubt that smuggling had been carried on to an immense extent, and even the illicit importation of manufactured goods was enormous. That was evident from the case which had recently been discovered in the City, and also from the quantity seen in every large house in the country, which was greater far than it ought to be, when compared with the trifling amount of import duties paid into the Custom-house. Nothing could keep out smuggled French goods, so long as they were to be admitted at any rate of duty whatever, for those that had paid duty protected those that had not.

Vote agreed to.

The following sums were also voted:—270,400*l.* for the wages of 32,000 seamen and marines until March 31; 18,000*l.* for wages to officers and men on board vessels in ordinary; 9,817*l.* 7*s.* 9*d.* for salaries to officers, and contingent expenses, of the Admiralty office.

On 7,939*l.* 3*s.* 1*d.* for salaries of officers, and contingent expenses, of the Navy Pay-office, being moved,

Mr. *Croker* expressed a hope that the right hon. Baronet would pay strict attention to prevent the undue increase of superannuations and pensions, which, he feared was consequent upon the alterations he meant to propose.

Sir *James Graham* said, the subject had attracted his attention, and he should take every opportunity of endeavouring to reduce them.

Sir *George Clerk* was anxious to know why it was that the first clerk in the Navy Pay-office had had his salary increased from 600*l.* to 800*l.* per annum? He had no doubt but there was sufficient reason for it, but he was desirous of knowing what it was.

Mr. *Robert Gordon* suggested that the offices of Treasurer of the Navy, Paymaster of the Forces, and Treasurer of the Board of Ordnance, ought to be united in one and the same person. His Majesty's Ministers, on coming into office, expressed their intention to introduce a measure to that effect, and he now wished to know whether they still meant to do so?

Sir *James Graham* said, that such a measure was in contemplation, and it was intended to remove all executive duties from the office of Treasurer of the Navy.

Vote agreed to.

The following sums were then voted:—12,032*l.* 13*s.* 2*d.* to defray the expenses of the Navy Office.

5,268*l.* to defray the expenses of the Scientific Department of the Navy.

On the sum of 20,581*l.*, for the contingent expenses and salaries of officers employed in the dock-yards, being proposed,

Sir *George Clerk* said, he saw by the details, that the right hon. Baronet had found the necessity of replacing several officers whose situations last year, he thought could be dispensed with. He, therefore, hoped that the persons who had previously held these appointments had been replaced.

Mr. *Hume* said, a rule was adopted last year, to fill up all offices with persons in the receipt of half-pay, so as to diminish the dead weight. He trusted there had been no evasion of that rule.

Sir *James Graham:* certainly not; wherever it was practicable to find officers on half-pay, competent to perform the duties of a situation, they were preferred.

Mr. *Hume* found the rope-yard had been removed from Woolwich. He hoped it was not intended to establish another elsewhere.

Sir *James Graham* replied, it was not; for the rope manufacturers in the other arsenals would be able to supply all that was required.

Vote agreed to; as were the votes for 4,683*l.* for expenses of dock-yards abroad. 154,200*l.* for the purchase of timber for the repair of ships, was then proposed

Captain *Yorke* said, he hoped no more timber calculated for line-of-battle ships only would be purchased, as he thought we had a sufficient number of that class; and from the progress making in steam navigation, it was probable, in the event of any future war, vessels impelled by steam would, in a great measure, supersede all others.

Sir *George Clerk* said, he understood the practice was again resorted to of building vessels for the public service in private establishments. That practice had heretofore been a bad one, for the vessels so built were always the most expensive, and ineffective, from being built of unseasoned timber. It had been resorted to during the war from necessity, but now, when the workmen were being discharged from the public dock-yards, he regretted to hear, that recourse was had to building by private contract.

Sir *James Graham* said, there certainly were four small vessels building by private contract, and he had entered into these contracts advisedly, knowing all the circumstances alluded to by the right hon. Baronet. His object was, to ascertain precisely what was the cost of building in private dock-yards compared with building in public, and also the comparative quality of each vessel. The fairest trial would be allowed, and he trusted the result would show practically whether it was advisable to continue the present number of shipwrights in the public establishment.

Vote agreed to.

The next Motion was 17,500*l.* to defray the charge for the repairs and improvements of his Majesty's dock-yards.

Mr. *Leader* said, he saw with much regret that the naval establishment at the Cove of Cork was utterly neglected, and that the naval force on that station was reduced to insignificance while there were no Supplies even kept for those ships that remained.

Sir *James Graham* said, that there was now a larger squadron on the coast of Ireland than there had been for the last five years, and he assured the hon. Gentleman the buildings he had alluded to were properly taken care of, and that there was a sufficient supply of such stores as were required.

Vote agreed to.

12,033*l.* for pilotage and other contingencies, and 5,188*l.* to defray the charge of the Transport Establishment for the Naval and Victualling Department, were also voted.

On the Motion for granting 4,063*l.* for the hire of packets,

Mr. *Hume* suggested, that the department ought to be abolished, and its duties transferred to the Post-office. In time of war there might be some excuse for conveying the mails in armed vessels, but there was not the least necessity for that practice at present.

Sir *James Graham* said, that if his hon. friend would allow the vote to pass on the present occasion, he would take an early opportunity of laying on the Table the Report of Sir Pulteney Malcolm upon the subject. That gallant Officer had been specially appointed to make inquiries respecting it.

Mr. *Robert Gordon* said, it appeared, from the 22nd section of the Finance Report, that a sum of 300,000*l.* was expended beyond what was necessary, by employing King's ships instead of hiring vessels to convey the mails.

Mr. *Spring Rice* said, the progress of steam navigation had entirely altered the circumstances alluded to by his hon. friend, and made other arrangements necessary. The noble Duke at the head of the Post-office Department was particularly directing his attention to ascertain the most improved and economical method of conducting the business of his department.

Sir *Robert Bateson* stated, that he had heard great complaints in Ireland of the false economy pursued by Government with respect to the packets employed in carrying the mail between Dublin and Holyhead. He had the authority of a captain of one of those vessels for stating that the expenses were so paired and cut down by the Government, that the establishment had been rendered comparatively ineffective.

Lord *Althorp* said, the packets on the Irish station were in as effective a state as at any former period.

Mr. *Shaw* believed, that the transmission of the mail between Holyhead and Dublin had been more irregular within the last six months than was ever known before.

Mr. *Stanley* said, that there had been an unusual prevalence of contrary winds, which prevented the Holyhead packets from making their passages with the same regularity as at other times. A minute inquiry, however, had been instituted by the noble Lord at the head of the Irish Government, and the result of the inquiry was, that the Government packets from Holyhead had been more regular in their voyages than the packets on the Liverpool station.

Mr. *Goulburn* did not think the fact stated by the right hon. Secretary for Ireland afforded any answer to the objection that the Holyhead packets were not well found. No doubt the shorter the voyage the more regular must be the passage, and, therefore, the comparative regularity of the Holyhead packets proved nothing.

Mr. *Spring Rice* assured the Committee that, though the Government was most anxious to economize, there was no disposition to carry the principle so far as to impede or diminish the facility of communication between England and Ireland.

Colonel *French* said, he had been assured by the captain of one of the Holyhead packets, that his crew was so much reduced, that if he had two anchors down in consequence of bad weather, he should be compelled to let one of them remain, or lose it entirely, if his vessel was wanted in a hurry. It was bad economy to make the packets unsafe.

Vote agreed to.

The next question was, that the sum of 192,800*l.* should be voted to his Majesty, for the half-pay of naval and marine officers up to the 31st March, 1832.

Mr. *Hume* thought, that the system of naval promotion really deserved more consideration from the House of Commons than it had hitherto obtained. A sum of nearly 1,000,000*l.* a-year was paid, under the name of half-pay, to naval Officers; and, in time of peace, there were frequent promotions of Lieutenants, Captains, and Commanders, by which all the savings made by the economical arrangements introduced in other branches of the service were swallowed up. It appeared from the official returns that, whilst there were only 600 naval Officers in active service, there were about 5,000 on half-pay and unemployed, which was a proportion of nearly nine to one.

Sir *James Graham* thought the Committee would agree with him that the most rigid principle of economy had been adopted with regard to naval promotions. Unless the House should decide, that promotion ought to cease altogether, and that the spirit of the navy, on which the strength and safety of the country mainly depended, should be broken, he did not know how a more rigid principle could be carried into effect than that now acted upon. The rule laid down by the late Board of Admiralty, and which he had, therefore, the less reluctance in adverting to approvingly, was, that there should be no more than one promotion to three deaths. The effect of acting on this rule was, to diminish the amount of the half-pay list, within a short period, to the amount of 20,000*l.* and he did not see how the system of economy could be carried further in this branch of the expenditure, without injury to the service.

Mr. *Hume* admitted it might seem hard, but he was one of those who thought that, as the public interest required, promotions should cease during peace—[*cries of "no! no!" from both sides of the House.*] He knew that many hon. Members had connections in the navy, and would oppose the principle for which he contended. The system adopted in the British navy was most anomalous. If there were a certain number of places to be filled up, promotions might go on to such an extent; but the evil was, that there was no limit to the number of officers promoted, for the whole was subject to the discretion of the First Lord of the Admiralty. The right hon. Baronet talked of "keeping up the spirit of the navy," and how was it kept up by the present system? One officer was promoted for the sake of bringing in another, who was also an expense to the country, and had no services to plead. This was what he (Mr. Hume) called damping the spirit of the navy, and he knew it was anything but satisfactory to some of the oldest and best officers, many of whom were put aside, whilst men were brought forward of less distinction and less experience, because they were sustained by parliamentary or family interest. He had always thought, and his opinion was unaltered, that it was a monstrous thing to keep up a war establishment and war promotion in time of peace. He hoped Parliament would see the necessity of abandoning such a system, and that the noble Lord, the Chancellor of the Exchequer, would not find money to enable him to carry it on. When the noble Lord came down, and stated that he had not a shilling to go on with, Parliament would find it absolutely necessary to depart from the present system. In the mean time, unpleasant as it might be to some ears, he (Mr. Hume) did not hesitate to declare, that it was his opinion that promotion should stop when the revenue of the country required it.

Mr. *Robert Gordon* was most anxious for economy in every branch of the expenditure, but he could not unite with his hon. friend, the member for Middlesex, in wishing that the Chancellor of the Exchequer should not have a shilling to go on with, and felt called upon to state fairly, that he thought the scale of naval promotions could not be further diminished without injury to the service. It must be desirable to have a proportion of young men brought forward, and to have but one promoted for three vacancies was as little as could be required. The right hon. Baronet had admitted there was merit due to the late Admiralty for adopting this rule, and he might have gone further, and said, they had not broken through their own rule in leaving office, although that had been the practice with former Administrations.

Sir *George Cockburn* felt himself called upon to notice the accusation which the hon. member for Middlesex had made, both against the late and the present Board of Admiralty, when he stated, that promotions were generally made in reference to parliamentary and family influence. His connection with the navy enabled him to state, that much the larger proportion of the promotions in that service had reference to the length of employment without regard to family influence. He had always contended that it was necessary, in order to sustain the spirit and character of the navy, that some individuals should be promoted upon the ground of interest and family connection. To that opinion he still adhered; but he challenged the hon. member for Middlesex (who was in possession of returns showing the number of officers promoted for service, as distinguished from those promoted by interest) to point out any year in which the largest number of promotions was not for service. He believed that the officers of the navy were generally well content that a certain number of persons should be promoted with reference to their family connections; and he was satisfied, that promotion could not be brought lower without injury to the service. The suggestion of the hon. member for Middlesex to stop promotion, might do very well if the hon. Member could give an assurance that this country should always be at peace. The House should never forget, however, that in peace the country must be prepared for war.

Mr. *Hunt* said, he was one of those who thought that England, with a good navy, might set the world at defiance; but, at the same time, he agreed with the hon. member for Middlesex, that it was not necessary to have so many officers unemployed, and to go on increasing the number of them. There could be no doubt whatever, that the greater proportion of those whose names appeared in the list owed their promotion to patronage, and had no pretensions, from the length or importance of their services, to be placed there. He was, therefore, astonished at the assertion made by the hon. and gallant Officer who spoke last, that promotion in the Navy was always the result of long service; for he had frequently met old naval Officers who complained that they had not been promoted, because they had no parliamentary interest. It was notorious that such was the feeling abroad, and, whether well or ill founded, it was prejudicial to the Navy.

Mr. *Croker* said, the hon. member for Preston had misunderstood his hon. and gallant friend (Sir George Cockburn). His hon. and gallant friend had not stated that promotions had always reference to length of service, but that the greater number of promotions were made upon that principle. In corroboration of that statement, he might be allowed to mention a fact. At the close of the war in 1815, a promotion of 1,500 naval Officers was made, and he could pledge himself, that it had been made without the slightest reference to parliamentary or other influence. The service-books were gone through, and this extensive promotion took place with reference to nothing but the merits of the individuals promoted.

Mr. *Hunt* merely wished to remark, that what the right hon. Member asserted clearly proved what he had stated to be the fact, for if those officers who had been promoted at the conclusion of the war had been brought forward in their turns during the war, instead of so many young men being promoted, who had no services to claim, but who were brought forward through patronage and influence, there would not have been so many meritorious officers to promote, and the half-pay list would not have been quite so large as at present.

Vote agreed to.

The sums of 72,605*l.* for pensions to naval Officers, their widows and relatives, up to the 31st March, and of 1,300*l.* bounty to chaplains, for the same period, were voted.

On the resolution that 65,000*l.* be granted to the Out-pensioners of Greenwich Hospital

Mr. *Hume* rose to ask the First Lord of the Admiralty, whether it was his intention to introduce a bill, of which notice had been given, for abolishing the tax imposed upon the commercial marine for the support of Greenwich Hospital?

Sir *James Graham* replied that, in the present state of the revenue, and of the funds of Greenwich Hospital, he could not consent to such a measure, and had, therefore, resolved to oppose the bill, of which his hon. friend, the member for Newcastle, had given notice.

Sir *Matthew White Ridley* said, it was his intention to persevere in bringing in the bill of which he had given notice, and he still hoped to be able to persuade the Government and the House that the measure was deserving of their support.

Mr. *Robinson* thought it but fair to observe, that he had altered his opinion on this subject: he had been convinced, from actual observation and inquiry, that merchant-seamen received incidentally great advantages from the establishment at Greenwich Hospital.

In answer to a question from Sir Richard Vyvyan,

Sir *James Graham* said, that it was in contemplation to dispose of a portion of the Derwent-water estate, belonging to Greenwich Hospital, which, it was hoped, would have the effect of increasing the funds of that establishment.

Resolution agreed to.

The sum of 37,629*l.* was proposed to defray the charge of superannuations to the civil Officers of the Navy.

Mr. *Hume* begged to ask the hon. Baronet, whether the superannuation granted to the late Comptroller of the navy for his civil services was in addition to his half-pay as an admiral.

Sir *James Graham:* It is.

Mr. *Hume:* "Then I say, it is a very great abuse." The example of giving compensation to particular individuals for civil services, in addition to their half pay, was most pernicious, and the practice ought to be wholly discontinued. Here was the case of an officer who had been employed some years at the Navy Board, receiving a large pension for his services, while others, employed as long in foreign and unhealthy climates, had no such compensation allowed.

Sir *James Graham* fully agreed with the hon. Member in regard to superannuations for civil services, but the regulation could only be prospective, because many individuals had entered the service under the positive assurance that, after a certain period of civil services, they were to receive an allowance, in addition to their half-pay; and if a different principle was now applied to them, it would be a breach of public faith. As to the merits of this particular question, the gallant Officer alluded to, had applied all his time and talents to perform the duties of his civil situation, and had probably thereby lost many opportunities of distinguishing himself, and acquiring fame and renown in the profession of which he was an ornament.

Mr. *Hume* believed the whole of the gallant Officer's civil services had been performed during peace. He thought that was a sufficient answer to the flourish of the right hon. Baronet. He wished that the part of the Act regarding superannuations which authorized allowances being given in cases of this description, or which directed that any person should receive one third of the whole amount of salary in retirement after fifteen years' service, should be pointed out to him.

Sir *James Graham* said, there were two Acts which referred to superannuation allowances, one of which granted higher pensions in retirement than the other, both of which had been brought under the view of the Admiralty on the present question, and on the best consideration they could give the case, they conceived that the gallant Officer was entitled to be put on the higher scale. But the case was before the House, and he had no doubt they would do it strict justice.

Mr. *Hunt* knew it was unpopular in that House to oppose a vote of that kind, but he felt it necessary to say, that he fully concurred with the hon. member for Middlesex, and he was persuaded they had only to give the Ministers rope enough, and they would soon hang themselves.

Vote agreed to.

31,400*l.* was voted for freight, &c., on account of the Army and Ordnance Departments.

22,135*l.* for the expense of sending convicts to New South Wales.

150,800*l.* for victualling 32,000 men up to the 31st of March.

7,512*l.* for the salaries of the Officers, and contingent expenses of the Victualling Department.

15,838*l.* for the salaries of the officers and workmen in the victualling yard.

6,044*l.* for the pay of officers in the Medical Establishments.

7,500*l.* for the expense of medical stores and hospital provisions.

7,902*l.* for the wages of officers and men on board vessels in ordinary.

300*l.* for conveyance of passengers and stores on account of the Colonial Department.

180*l.* as bounty for the capture and destruction of piratical vessels.

2,139*l.* 9*s.* for provisions for the yard service afloat were granted without remark.

Upon the proposition that a sum not exceeding 52,000*l.* should be voted for carrying on certain works at the Naval Arsenal at Plymouth,

Mr. *Hume* rose to inquire whether it was still intended to go on with the erection of machinery for brewing and baking, which was purchased at so much expense to the public, and was now found to be of no use.

Sir *James Graham* said, that the contract for furnishing the machinery was made with Mr. Rennie before he (Sir J. G.) came into office, and upon consideration it was thought better to proceed with the machinery, though it was not thought expedient to use it at present. The expense would be about 42,000*l.* The brewhouse and bakehouse would be a most valuable addition to the naval arsenal in the event of a war, but he (Sir James Graham) left it for the Committee to determine how far it had been judicious in the Victualling Board to enter into a private contract for the machinery with the brother, and, as he believed, the partner, of the Superintendent of the Works.

Mr. *Hume* said, he always understood the Victualling Board acted under the superintendence of the Admiralty; but, it appeared by what the right hon. Baronet had said, that Board had made a private contract under very suspicious circumstances, relating to machinery, which was of no present use. He thought it was likely there had been a great waste of the public money, and, he was sure the individuals making private contracts, which were so much reprobated, had forfeited all claims upon the public.

Mr. *Hunt* observed, that a sum of money had been laid out for the partly setting up certain machinery, which the right hon. Baronet said was of no use, nevertheless the right hon. Baronet had completed it. He wished, therefore, to be informed why he had not sold it for what it was worth, rather than have expended more money in finishing it.

Sir *James Graham* said, when this machinery was erected, it was intended to use it immediately, but it was found unnecessary, since he came into office; but a great part of it having been already prepared, and the buildings for it erected, it was thought most adviseable to complete it, if it was only to preserve it. He had already stated, he had no doubt it would be useful hereafter, but the question was, whether it was right to expend so much money at the time, and upon a private contract.

Sir *George Clerk* was glad to hear this explanation, for it now fully appeared the machinery was ordered before the right hon. Baronet had entered office, and that the contract was made without the knowledge of the Admiralty by the Victualling Board. But the right hon. Baronet's charge had now assumed another shape, and he complained of the outlay of the money at an improper time, and that it was done by private contract. In answer to the first part of the charge, the right hon. Baronet had allowed it would be useful in the event of a war, and as there was no knowing how soon that might arrive, he (Sir George Clerk) thought it was right to be prepared for it, and he trusted the House would be of the same opinion. With regard to the private contract part of the charge, the machinery for baking was a recent invention, and, therefore, only to be executed by certain parties; and he took that to be a full reply to the objection made on that account. With regard to the brew-house, at the time the machinery was ordered, it was expected it would be wanted; for good stout beer was considered a much more wholesome beverage for ships' crews than ardent spirits. The circumstances of the case, with regard to the building were simply these: the premises where part of the public brewing was previously carried on, were held upon a lease, determinable on the demise of his late Majesty, and as the proprietor of the ground on whose land the house was situated, declined to renew the lease, it had become his duty to bring forward a new estimate on the subject. In the then state of the country, it was considered necessary to erect this brew-house; and, at the time when the work was undertaken, the machinery was intended to be brought into operation as soon as the building should be ready for its reception. Certainly, by a change in the system which the right hon. Baronet introduced last year, and which he had at that time strongly objected to; this brew-house had been rendered of no use. With regard to the baking machinery, it would bake sufficient biscuit to supply the whole of the seamen in the present state of our naval establishments. An exception had always been made as to biscuit which had never been furnished by contract, because it was impossible to procure it without adulteration, and of such good quality as would keep in all climates, unless it was manufactured in the public establishments. He trusted, from this explanation that the House would admit that, if ever the occasion arose for increasing our navy, the money which had been paid for the construction of this machinery would be found to have been most beneficially expended.

Sir *James Graham* said, that in every thing he had asserted on this subject, he had been careful to understate the case from a feeling of delicacy. He was perfectly ready to admit the evil had arisen from a vicious system, and not from the conduct of individuals. But as the right hon. Baronet had himself entered into the case, he had no hesitation in declaring that this transaction was, from the commencement, most irregular. First, a private contract or bargain was made; next, it was made with the partner and brother of the Superintendent of the Works; third, he had been misled as to the amount when he had first brought forward these Estimates. He had called upon the Victualling Board to state the entire sum which would be necessary for these works in the ensuing year; the reply was, "55,000*l.*," and a grant to that amount was, therefore, prepared. He was afterwards informed that a further sum of 42,000*l.* would be necessary for the purchase of machinery, which sum was quite independent of the contract. He again declared that this was altogether an irregular proceeding. They had been told that in case of war, these works would be useful. So they might, but, he begged to remind the House that the navy was victualled throughout the late war without them. It would be his duty to-morrow to bring the question on the remaining part of this sum more particularly under the notice of the House, and an opportunity would then be afforded for going through the whole of the transaction, from beginning to end. The Estimate laid on the Table was comparatively small considering the large outlay actually made upon these works, from sources not known to Parliament.

Sir *George Clerk* said, that the brewing machinery being of no present use, was owing to one of the right hon. Baronet's own regulations, by which seamen were supplied with spirits instead of beer. As to his assertion, that the victualling of the navy was carried on, during the late war, without this machinery, the consequence was, that large and expensive contracts were necessary, and after all, a bad article, particularly bread, was obtained. It was in consequence of the repeated complaints that the biscuit supplied, would not keep in foreign climates, and that unwholesome food was sometimes given to the sailors, while at other times a supply had to be obtained at any cost, that the machinery in question was erected.

Mr. *Robinson* said, that the subject of this vote was attended with so much irregularity, that the House would not do its duty if it did not institute an inquiry, and obtain all possible information upon the circumstances. He felt it right, therefore, to move that the vote should be postponed.

Mr. *Bernal* the Chairman, said, the hon. Member could not, according to the forms of the House, move the postponement of the vote. He could do no otherwise than either oppose it or agree to it.

Mr. *Robinson* said, he did not wish to negative the vote directly.

Sir *George Clerk* expressed his wish, that, since the Motion of the hon. member for Worcester could not be put, the right hon. Baronet (Sir J. Graham) would consent to withdraw the vote for the present, in order that the circumstances of the transaction might be minutely scrutinized. This was the more necessary, in consequence of the insinuations of corrupt dealings, which had been thrown out against the late Admiralty. He wished for the fullest inquiry, and, if any blame were found justly to attach to the late Board, he was quite willing to bear his share of it.

Sir *James Graham* said, he had made no insinuations of corrupt dealings. The word corrupt had never escaped his lips. He had only said, what he would now adhere to—namely, that a private agreement had been made with a party who was the brother, and, he believed, the partner, of the Superintendent. As inquiry was courted, he should give an opportunity for it by withdrawing the vote for the present.

Lord *Milton* said, there were two or three points that required explanation. He wished to know how it was, that a subordinate Board had made contracts without the knowledge of the superior? If they had a right to do so, according to the present custom, that ought to be abolished. Another point was, that it appeared these subordinate Boards thought they had a right to appropriate the money to other purposes, than those for which it was granted. For instance, if 20,000*l.* had been voted for one purpose, and the expense exceeded that sum, and 30,000*l.*

voted for another, the expense of which was less, was the overplus of the second applied to cover the deficiency of the first? If that was the practice, it was wrong. The overplus ought to be at the disposal of that House, and the deficiency duly applied for, or there was no effectual control over the expenditure of the public money.

Sir *James Graham* said, the practices alluded to by the noble Lord, had been frequent. In one instance this misappropriation had gone to the extent of 500,000*l.*; it was, therefore, his intention to bring forward a measure to remedy such irregularities in future.

Sir *Robert Peel* said, that after what the right hon. Baronet had stated, he should certainly not, under any circumstances, have agreed to this vote without ample inquiry. He had no knowledge whatever of the transaction, but he was fully convinced that the parties alluded to would be able to give complete satisfaction on the subject.

SUPPLY — CIVIL CONTINGENCIES.] Mr. Spring Rice moved, that a Sum not exceeding 200,000*l.* be granted to his Majesty to defray the expense under the head of Civil Contingencies, for the one quarter, from 1st January to 31st March, 1832; and for one year, from 1st April 1832, to 31st March, 1833.

Mr. *Goulburn* said, he observed that 1,000*l.* had been paid to Mr. Telford, to defray expenses already incurred in his survey for supplying the metropolis with pure water, and to enable him to proceed with the same. He must object to this item, because, first, he conceived that the expense ought to be defrayed by the Water Companies, and in the next place, because no answer had been obtained from Mr. Telford, as to the ultimate expense of the survey.

Lord *Althorp* said, that at the first view he had concurred with the right hon. Gentleman in thinking that the Water Companies were the proper persons to pay the money. But it would be recollected, that his hon. friend, the member for Westminster (Sir Francis Burdett) had said, he would be answerable for the expense of the survey, if the Treasury would authorise it to be made, which was consented to. At that time his hon. friend, as well as the Treasury, conceived that the Water Companies would be induced to pay the money. But it now turned out that there was no chance of persuading them to do so. And then the question came before the Treasury in this shape. A Committee of that House had reported its opinion, that measures ought to be taken to procure a better supply of water for the metropolis, and were they not to endeavour to support that opinion? But the right hon. Gentleman thought that this was not an object for which the public ought to pay. He (the Chancellor of the Exchequer) did not think it should be said, that the public ought to go to no expense at all for so essential an objent as to procure a supply of pure water. Under all the circumstances, he thought the Government was called upon to make the advance.

Sir *Robert Peel* said, that some time after that Report had been made, he had refused to grant this money, and the House had approved of his refusal. He had had repeated communications with the Water Companies, and he was enabled to say, that they had never authorized the slightest expectation that they would pay for the survey. He must protest against the Government undertaking the expense. We were not here in the same situation as France was under the Bourbons, who provided for everything in the country. He was convinced that the projected work would never succeed, except as a private speculation. If it did not succeed, why should the Government be at the expense? and if it did succeed, why should not the expense be borne by those who were to benefit by it? He considered it a most dangerous precedent. If it was acceded to he saw no reason why they should not be called on to extend the principle to Liverpool and Manchester, and ascertain how those places could best be supplied with good and pure water. In conclusion, he begged to ask the noble Lord, what the whole expense of the survey would be?

Lord *Althorp* said, at the utmost it would not amount to 5,000*l.*, indeed, he believed, that 3,000*l.* would pay the expense.

An *Hon. Member* said, that he had been one of the Committee on the Bill which was brought in by one of the Water Companies, for the purpose of obtaining the sanction of an Act of Parliament to a project for rendering the river Colne available to the metropolis for the supply of fresh water, and it was then declared that Mr. Telford was perfectly ready to make a survey for the purpose of ascertaining how best to effect the object of giving a fresh supply of water to London, but that the Water Companies were unwilling to bear the expense, and the public could not be charged with it. The Chairman of the Committee, the hon. Baronet (the member for Westminster), declared, that as such was the case, he would bear the expense himself. What subsequently passed between his noble friend (the Chancellor of the Exchequer) and the hon. Baronet, he did not know, but such was his statement at the time. There was no doubt that Mr. Telford would make a magnificent survey ; and he would also put forth, probably, some magnificent plans; but no private Company could take up such plans, and he doubted whether the country would ever be able to do so, and, between the two, the supply of water to London would be left just where it then was; whereas had the Bill been allowed to proceed, and had the parties who were carrying it on not been deterred from so doing by this survey of Mr. Telford, the metropolis at the present moment would, in all likelihood, have been supplied from the sources of the river Colne—a supply which would have obviated all those horrors which attend, as was amply proved by the philosophers and chemists who had written so elaborately on the subject, on the drinkers of Thames water.

Sir *Robert Peel* said, this was one of the consequences of the interference of Government in private matters. Such interference was equally unjustifiable, as well towards the public as towards the private water companies, which companies, at the period alluded to by the hon. Member who spoke last, were preparing additional means for the supply of pure water to the metropolis, and would have provided them, probably, by this time, had not Government stepped in between them and their object, by encouraging, as was truly said, the proposal of magnificent plans, which would not and could not be carried into execution. He felt it, therefore, to be his duty to move, that the present vote be reduced by the sum of 1,000*l.*; and, in order to justify this Motion on his part, he would trouble the House with a reference to certain Treasury minutes relating to this survey. The first of them was dated the 15th of March, 1831, and was consequent upon a letter, in which Sir Francis Burdett informed the Treasury, on the 25th of January, 1831, that Mr. Telford was ready to make the survey. Mr. Stuart, the Secretary to the Treasury was ordered to write to Mr. Telford, to direct the survey to be made, and to Sir F. Burdett, informing him that the survey was undertaken on the condition proposed by Sir F. Burdett himself—namely, that he would bear the whole charge of it. Subsequently Mr. Telford referred to the Treasury, to know by whom the expense was to be defrayed. Mr. Stuart was then ordered by the Lords Commissioners to inform him that Sir Francis Burdett had undertaken that the public should be secured against any part of the expense of the survey ; and Mr. Stuart was also directed to inform Sir Francis Burdett, that such a communication had been made to Mr. Telford. These minutes would sufficiently establish the fact, that Sir F. Burdett, and not the public, ought to be charged with this expense, and it was with that object directly in view that his Motion was made. He begged, therefore, to move, that the sum now proposed to be voted be reduced by the sum of 1,000*l.*

Mr. *Hunt* said, he did not know whether to call this conduct on the part of Government assurance or impudence. It was, in his opinion, nothing less than a most impudent attempt to impose on the House of Commons, in the very teeth of one of their own Treasury minutes; and it was nothing less than voting idly away so much bread and beer out of the mouths of the Lancashire weavers. He recollected well, at the time this offer of the hon. member for Westminster was made, that it was said of him he had found a cheap way of getting returned again for Westminster; and who was it brought forward the scheme, but one Wright, one of that hon. Member's constituents. He hoped the right hon. Baronet would persevere in his motion, for, if not, he would take it up.

Mr. *Spring Rice* pressed for a postponement of the item at present, in order that the hon. Baronet implicated, who was absent, might, at an early opportunity, give that explanation which all who heard him could not but feel thoroughly convinced in their hearts he would be most happy and most able to give. He wished the right hon. Baronet (Sir R. Peel) to be undeceived on one point—namely, that Government undertook to furnish the supply of pure water itself; all it wished to do was, to lay such information before the public as was in its power to procure, and not to assume that position, which despotic Governments alone could take, of regulating that supply themselves. With this view it had employed Mr. Telford, and all he could do at present was, to beg to be allowed to withdraw the charge from the estimate, until some explanation could be given on the subject.

Sir *Robert Peel* readily acquiesced in the proposal of the right hon. Gentleman, in the hope of being afforded full and early information on the subject.

Sir *Robert Heron* rose, and said, that the hon. Baronet (Sir F. Burdett) who formed so conspicuous a feature in this discussion, was so constant an attendant at the House, as seldom to be liable to the charge of inattention to his duties there: he, however, was absent on that night, and his absence was caused by indisposition—an excuse which he hoped the House would readily admit as a reason for not prosecuting the discussion.

Sir *John Hobhouse* said, that he would at once take upon him, in the absence of his hon. colleague, to say, that he would stand by any engagement to which he was bound. There was, however, a short story to be told about this same item of 1,000*l.* Since the year 1825 there had been several Committees on the subject of the supply of water to the metropolis, and the right hon. Baronet (Sir Robert Peel) who was then in the Administration, had always declared that Government would not interfere, because he had a strong opinion that it was much better to leave the supply to competition. There was, however, a difference of opinion on this point between the right hon. Baronet and many other hon. Members; for they were of opinion, that unless Government stepped in and interfered between the public and the Water Companies, the public would get no pure water; and now, because 1,000*l.* for surveyors was charged, in furtherance of the views of these dissentients to the right hon. Baronet's opinions, the House was to be told it was an overcharge. The fact was simply this: when the Report on the Water Companies' Bill was before the House, the hon. Baronet (Sir Francis Burdett) was told, that a survey would be made, but that there was some difficulty as to advancing the money; he immediately replied that he would advance it out of his own pocket. Upon which he himself (Sir John Hobhouse) rejoined, "they had better take the offer." He was confident the hon. Baronet had not for one instant contemplated any infringement of his engagement, and that if a claim were made upon him, he would be ready to meet it. As for what had fallen from the hon member for Preston, with respect to this offer of his hon. colleague being looked upon as an easy way of getting his return for Westminster again, he was content to regard all the hon. Member had said as an impassioned observation of the moment, and, as such, to take small heed of anything which escaped during those moments.

Mr. *Robert Gordon* said, this was not an item of estimate, but of account. They were called upon to vote 200,000*l.* for five quarters for the civil contingencies, and, at the same time, there was an account produced showing what part of this money had been actually expended last year. In point of fact, the House had granted a certain sum of money to the Ministers in confidence, and out of that money 1,000*l.* had been actually paid to Mr. Telford. He did not see how his right hon. friend (Mr. Spring Rice) could, by reducing the sum of 200,000*l.* to 199,000*l.*, alter the expenditure, the money having been already paid. But they had wasted rather too much time upon this item of 1,000*l.*; there were other charges to which the attention of the House ought to be called. The whole of these estimates had better have been referred to a Select Committee. Of all subjects that required to be submitted to such Committees, none were so necessary as the expenditure under the head of Civil Contingencies. He observed there was a sum of 800*l.* for removing the Records of the Court of Common Pleas from Westminster Hall to the King's Mews, Charing Cross. Again, there was a sum of 2,000*l.* paid to Mr. Babbage, for constructing a machine for the calculation and correction of various tables. Next came a sum of 6,623*l.* 12*s.* 6*d.* for defraying the expenses incurred in England and Scotland relative to the boundaries of the counties and boroughs as required by the Reform Bill. He would now allude to some items which related to Ireland: first, came an item of 923*l.* 1*s.* 6*d.* granted to Lord Plunkett for an outfit when he became Lord Chancellor of Ireland. The occasion of this outfit arose from the usual practice of appointing English Barristers to judicial situations in Ireland, and, with a view to evince the hospitality of the new Judge, he was allowed a sum to enable him to give dinners and other entertainments at a considerable expense. Ever since the Union, the practice had been, to give this outfit to the Lord Chancellor of Ireland; but the Lord Chancellor of England did not appear to have any outfit. He had looked in vain in these accounts for any charge on his account; but yet he understood there was some source from which an outfit to the Lord Chancellor of England was provided. He maintained, however, that in the situation of Lord Plunkett, who was removed from the appointment of Lord Chief Justice of the Common Pleas in Ireland, to the Lord Chancellorship of Ireland, that was, from one Judgeship to another, in the same country, there was no possible pretence, whatever, for an outfit to be given to him. He had no wish to push this matter further, but had made these observations to show the necessity of having these items investigated by a Select Committee.

Mr. *Spring Rice* remarked, that his hon. friend, perhaps, feeling that his talent did not lie in panegyric, had forborne to speak about the diplomatic expenditure. If he had, he could hardly have failed to give the present Ministers some credit for putting an end to diplomatic presents, and thus saving the country about 7,000*l.* per annum, which was previously expended in snuff-boxes. The Earl of Aberdeen had previously made a reduction in the diplomatic department to the amount of 11,000*l.* The present Government hoped to extend this reduction next year to 15,000*l.* The first objection, however, made by his hon. friend was, that charge relating to the removal of the Records of the Court of Common Pleas. Had this charge been for their removal only, undoubtedly it would have been open to animadversion, but besides the charge of removal, that account covered all the expenses necessary to provide for their safe custody, and had been made after the Government had been urged, during the last Session, to remove the Records which encumbered Westminster Hall. The work had been done by contract, and if the House pleased, the Estimate should be laid before it. In reference to the sum paid Mr. Babbage, he begged to say, that it was a purchase of one of the finest specimens of mechanism in the world, and of which the public had now become possessed, and that on the payment, not of any remuneration to the talented inventor, but merely of the actual expense of its manufacture. The next objection of his hon. friend rather surprised him, coming from a Reformer and a supporter of the measure which had passed the House last Session, and which objection was to an expenditure made for the purpose of laying before the House the information necessary to enable it to legislate on the subject, and which, if not afforded, would have raised an opposition to it. He could not think the House would say, that the expense had been too great. The last point to which his hon. friend had referred, was the item for the outfit of Lord Plunkett, as Chancellor of Ireland. He begged to deny the statement of the hon. Member, that the outfit had never been made in the cases of English Chancellors. It had been made, in 1827, to Lord Lyndhurst, to the amount of 2,000*l.*, while the outfit to Lord Plunkett was 1,000*l.* Last year it had been granted to Lord Brougham; in 1828, a grant for outfit was made to Sir Anthony Hart, on his assuming the Seals in Ireland, and, in 1831, to Lord Plunkett. Mr. Ponsonby had also received a similar grant. The hon. Gentleman's argument was, that because Lord Plunkett, from being Chief Justice of the Common Pleas, was translated to the Court of Chancery in the same country, he was not entitled to any outfit. Lord Plunkett's elevation was not the first instance in which the outfit had been granted, for in 1801, Lord Eldon, on his promotion to the Great Seal, had received the usual grant. How, then, could the Government be justified in refusing the expense of outfit to Lord Plunkett, more particularly when it was remembered that his salary had been reduced from 10,000*l.* to 8,000*l.* per annum. He, however, begged to say, that, with respect to these items, the Government were perfectly ready to produce any documents or information that the House might require.

Mr. *Robert Gordon* said, he still observed in the Estimates that the presents of snuff-boxes were charged, and until they disappeared from the items, he could not go the length of giving the Government that credit which the right hon. Gentleman claimed as their due. As to the wonderful machine which his right hon. friend praised so highly, he had no doubt it was most ingenious, but it did not appear to be of much use to the public at present; perhaps, however, hereafter, its powers might go so far as to perform the duties of his right hon. friend's office, and it would be certainly a saving to have the duties of a Secretary of the Treasury performed by steam. As to the outfit paid to the Lord Chancellor of Ireland, his hon. friend justified the payment on account of the reduction of salary, but such a charge had never been taken into account by the Committee which recommended that reduction, and he was, therefore, somewhat surprised that it should have been allowed, particularly under the circumstances of Lord Plunkett having removed only from one Court to another. He was bound to believe his hon. friend, when he asserted that Lord Chancellor Brougham had received an outfit also, but he had been led into the error by the noble and learned Lord himself, who had stated before the Committee, that he had up to that time received only 400*l.* on account of his office.

Colonel *Sibthorp* considered the Government had no right whatever to pay upwards of 6,000*l.* for ascertaining the boundaries of counties; that expenditure ought not to have been incurred without the authority of Parliament. As to the sum paid to Mr. Telford he would object to it, let the account be brought forward when it might.

Mr. *Courtenay* said, that a sum of 500*l.* appeared on the Estimate to a Mr. Marshall for a set of statistical tables. That Gentleman seemed to be a coadjutor of the hon. member for Middlesex, and probably assisted him in his calculations. He should be glad of an explanation of this item.

Mr. *Hume* said, this might be almost styled one of his jobs. He looked upon correct statistical tables to be of the greatest utility and advantage to the country. Mr. Marshall had been for years actively employed in such inquiries, and his inquiries had been productive of so much benefit, that he deemed it necessary, for the public good, to make them universally known. It was a compilation of all the public documents of that House, and contained tables of the income and expenditure of the country, in every possible point of view, for the last thirty years. This country was the only one without such condensed and valuable information. It was on these grounds, therefore, that he had recommended the work to the Government, and the item which appeared on the account was his recommendation.

Mr. *Goulburn* said, he had never expected to turn the tables upon the hon. member for Middlesex, and question him as to the items of public expenditure; but he really wished to know from the hon. Member whether this vote was to be the total of the expenditure to be incurred by the public for this work.

Mr. *Spring Rice* said, he believed that no additional expense would be incurred on account of the tables.

Sir *Charles Wetherell* begged to ask the hon. member for Middlesex, whether these wonderful tables contained any means of supplying, in conjunction with the still more wonderful machine of Mr. Babbage, the deficiencies of a failing revenue.

Mr. *Hume* declined replying to the jokes of the hon. and learned Member. A deficient revenue was too serious a matter to be trifled with, and could only be met by a decreased expenditure. He was ready to allow, that the present Estimates were the least objectionable he had ever seen, but still there were points which demanded explanation. First, then, with regard to the outfit of the Lord Chancellor, he objected to it wholly; but, if under any possible circumstances it could be tolerated, it should be placed among the items on the Civil List. Next, there was a large sum of 14,000*l.* for Reports from the Commissioners of Inquiry at Mauritius and Ceylon; he hoped this was the last item of that kind. Thirdly, there was a sum of 3,600*l.* charged for some Commission to inquire into the allowances of the retired Welch Judges, and for other purposes of a similar nature, but he understood some of these persons had been otherwise provided for, and, therefore, had no claim to retired allowances. There was a fourth charge of 570*l.* for fees occasioned by the honour received by Sir James Saumerez, and other fees of a similar nature for Irish Peerages. He did not by any means object to his Majesty having conferred these honours, but he did think it was out of character for the public to pay such a charge for fees on account of it. There was a charge o. the sum of 12,000*l.* for pensions to Spanish refugees, he had heard, he knew not if the statement were true, that some of these pensioners had other sources of subsistence. Lastly, he wished to know what was the amount of the charge for publishing the average price of sugar in the *London Gazette*, which was a profitable concern.

Mr. *Spring Rice* said, the fees which were paid on account of newly-created Peers went into an office fund, from whence they returned into the public purse. With respect to the Commission of Inquiry into the Courts of Justice, it was formed in order to ascertain what compensation was due to the Welch Judges when they were called upon to retire. The expense of the Reports of the Commissioners of Colonial Inquiry was now concluded: the item would not appear again. With respect to the Spanish refugees, great vigilance had been exercised to prevent abuse. The highest sum paid to any individual was 25*s.* a-week. As to the publication of the Sugar Returns, the greater portion of the vote went to defray the expense of officers and clerks in preparing the accounts.

Colonel *Sibthorp* said, if the public knew they would have to pay fees amounting to 570*l.* upon every Peer created, they would not be so clamorous for 100 or 200 to be made to pass the Reform Bill.

Sir *Robert Peel* said, that the explanations of the right hon. Gentleman were satisfactory, but he (Sir R. Peel) most objected to that vote which the right hon. Gentleman had not alluded to, because he supposed the hon. member for Middlesex had taken it under his especial care; he meant the sum of 500*l.* for certain statistical accounts. If, as the hon. member for Middlesex stated, these tables were so exceedingly valuable, Mr. Marshall might be left to receive a recompense from their sale. There were various other works equally deserving of public patronage; but for the Treasury to assist individuals in this way was open to very great objection. The hon. member for Middlesex might have derived great aid from these tables, but that was no reason why the public should pay for them.

Mr. *Spring Rice* said, that the tables were considered to be of very great importance to the public interests, and Government had granted this sum in consideration of receiving a certain number of copies for the public offices.

Mr. *Hunt* had been in no small degree surprised by the conversations which passed between the right hon. Gentleman opposite, and the hon. member for Middlesex. He remembered well the admiration with which he used to read that Gentleman's speeches, storming the House and cutting down the Estimates. From the slightness of the opposition which that hon. Member was now giving to the Estimates, he felt very much disposed to press upon the House the measure proposed by the hon. member for Cricklade—that is, that the Estimates be referred to a Committee. He should like to know what became of the 32,000*l.* which was charged under the head of Rewards for the Apprehension and Conviction of Incendiaries? He had been applied to by many persons, who complained that they had not been adequately rewarded. Again, there was above 900*l.* charged as paid to Doctor Bowring for his improvements in keeping public accounts. He did not know whether the Ministers had profited by his method, but most certainly nobody else had. He did not see why he, as a Member of that House, doing a public duty, should allow the public money to be voted away without expressing his opinion about the purpose to which it was applied, lest he should be accused of being personal—especially when the person to whom he should allude had not been at all nice in speaking of him, not only in his absence, but when he was in prison. That person was now certainly not in prison, but in the House of Lords; and as he and his family were receiving from the public so much as 30,000*l.* a-year, he (Mr. Hunt) felt himself called on to protest against the allowance of 900*l.* for that learned nobleman's outfit. He had merely passed from one Court to another, and surely he could afford to equip himself for the journey out of the large sums which he drew from the Treasury.

Mr. *Spring Rice*, in reply to the question of the hon. member for Preston, explained that the convicts with reference to whom the rewards had been given, were 577 in number, and the rewards were distributed amongst 1,887 persons. The sums paid to those persons amounted to 28,220*l.* 12*s.*, and the expenses of the Commissions added to that, made up the sum of 32,000*l.* charged in the Estimates. He believed that the sums charged were rightly distributed, and rightly applied, and that the House would not object to the item.

Mr. *Hunt* believed, that much of the money was stopped on its way to the persons for whom it was intended. Many of the persons had not received so much as they were entitled to.

Mr. *Spring Rice* said, all these accounts had passed through the Audit office, and there were stamp receipts for the amount of money paid to each individual.

Mr. *Benett* bore testimony to the propriety of the distribution; he knew Mr. Mawle had been at infinite pains to divide the money properly.

Resolution agreed to, deducting the sum of 1,000*l.*, the vote on account of Mr. Telford's survey being deferred.

The House resumed.

HOUSE OF LORDS,

Tuesday, February 14, 1832.

Minutes.] Petitions presented. By the Duke of Richmond, from West Grinstead, Sussex, for an Act of Parliament to empower Parishes to levy a Labour Rate.

HOUSE OF COMMONS,

Tuesday, February 14, 1832.

Minutes.] New Writs ordered. For the Flint District of Boroughs, in the room of Henry Glynne, Esq., who had accepted the Chiltern Hundreds.

Returns ordered. On the Motion of Mr. Hume, of the several Amounts paid in each of the years 1830, and 1831, under separate heads, for Half-pay and Retired Superannuation Allowances, distinguishing the several Amounts and Departments.

Petitions presented. By Mr. Ewart, from the Inhabitants of Birkenhead, Cheshire, for the Abolition of the Punishment of Death for Crimes against Property; and from the Freeholders, Merchants, Bankers, &c. of Liverpool, against the General Registration Bill:—By an Hon. Member, from Freeholders and Inhabitants of the Isle of Purbeck, for additional Representation.

Tithes—Ireland] Mr. *Lambert* had eight Petitions to present from various parts of the County of Wexford, praying for the Abolition of the Tithe System in Ireland. The language of all these petitions was moderate and temperate; some of them prayed for the adoption of a general principle by which every sect should support its own clergy; others praying that the tithe system should be altogether abolished, at the same time proposing, that a liberal allowance should be provided for the clergy of the Established Church in some way less obnoxious and oppressive. He was inclined to concur in the latter course, because he thought it would be very hard if gentlemen brought up to the Church were to be turned adrift without any provision being made for them. He objected to the present tithe system because it was unjust in principle, and oppressive and tyrannical in its mode of operation. It was a direct tax on the industry of the farmer, and pressed upon the poor man more than upon the rich. The latter could turn his arable into a grazing land and so escape the tax, but the former was compelled to pay tithe upon his small crop of potatoes, which was almost his only food. Again, he thought it unfair that Catholics should be called upon to support the clergy of a Church with which they were not in communion, particularly when they formed the great majority of the inhabitants of the country. This tax was one which did not attach to the landowner but to the cultivator, for if the land was left uncultivated, it paid no tithe. The mode of collection also was oppressive and unjust. The present state of Ireland was a singular one. It was that of a whole people determined not to pay the tithe, but to suffer their property to be distrained without any breach of the law. It might be easy to distrain upon one or a few individuals, but when a parish, a county, indeed a whole kingdom, were combined, it was impossible to enforce that remedy. It became necessary, therefore, that the Legislature should interfere, or the clergy, instead of being the objects of respect and veneration, would be universally held in detestation. The manner of enforcing payment was not fair, for when the tithe-payer was cited to Court, he found that his Judge was a clergyman, who could not be supposed completely free from bias. He knew a case in which a person who was old, deaf, and paralytic, had been summoned to the Ecclesiastical Court for payment of tithe. He employed a professional man (a King's Counsel) to defend him, but the Judge refused to hear him, as he was not a civilian, and when the son offered to speak on behalf of this aged and impotent father, he was threatened with imprisonment for contempt of Court. The real fact was, and it could not be disguised, the people of Ireland would no longer pay tithes. He warned the Government of the consequence of coercion, for when a people took the execution of the law into ~~their~~ own hands, the power must necessarily pass away from those hands to whom it had been delegated. If they attempted to uphold a system which had become universally odious, they might look for stubborn resistance, for any new attempt would revive the recollections of long injustice, the heart-burnings of oppression, and the long-suppressed, but not extinguished thirst for vengeance. He intreated the Government to reflect, that a whole people never rose up unless galled to the effort by the operation of unjust and iniquitous laws.

Mr. *Carew* said, that tithes had at all times excited opposition in Ireland. It was quite impossible that the system could any longer be kept up. He was perfectly prepared to make any private sacrifice towards the settlement of this most important question.

Mr. *Walker* said, he had been requested by the petitioners to support the prayer of those petitions; they pray for an abolition, or else an application of tithes for the support of the poor; for an abolition of Church rates, and a general reduction of the establishment of the Church, and its immense revenues. He concurred in the justice of this prayer, and the policy of granting it; and until a satisfactory settlement of this question took place—and he meant not satisfactory to the clergy, but satisfactory to the laity—tranquillity would never be established in Ireland, nor would she cease to be what she had been for centuries, a source of trouble, of weakness, and expense to England, when under a kinder and a wiser Government she would have been a powerful and wealthy ally. He much regretted the sentiments alleged to have been expressed by two noble Lords belonging to the Government, for if it was true that Earl Grey had threatened to deluge Ireland once more with blood, it was withering to the hopes of every Irishman here who had hitherto supported the present Government, and had already caused much mischief in Ireland; but he would caution this Government, or any other, which should draw the sword in that country, and especially to support a system it had already confessed to be unjust, that though the bayonets might have their victims, the pikes would have victims also, and it would not be the blood of the tithe resisters that would alone be shed. The threat of force was absurd, for whatever the contemplated punishment might be, he defied it to succeed. Supposing a Minister weak or rash enough, or, he would add, wicked enough to attempt it, where were the prisons to confine, or the fleets to carry into exile, or the executioners sufficiently numerous or hardened to put to death 7,000,000 of people? It was untrue to attribute the opposition to tithes to Catholics alone; that tax was, and always had been, opposed by every sect in Ireland, and he firmly believed, if it were not for the unhappy state of parties now in that country, there would not be a layman in it found to take the part of tithes. It had been proposed by some to give more power to the clergy, to enable them to collect this tax; but it was the extraordinary powers already vested in the Church, and the atrocious manner in which those had been too frequently abused, that had contributed largely to make this tax completely odious; and an increase of power, so far from rendering the payment secure, would make it more obnoxious. To show what power the clergy now had, and how that might be turned into an engine of oppression, he begged to call the attention of the House to the following statement of a circumstance which occurred to his own knowledge, within the district from whence those petitions came:—A farmer, belonging to the parish of Eniscorthy, was cited before the Ecclesiastical Court of Ferns, (the Judge being himself a clergyman) for subtraction of tithe. The farmer appeared, the case was called on, tried, and decided; but, to the farmer's astonishment, though he was the victor, he was condemned, by this religious Judge, to pay the costs of the suit, and was told that his refusal to comply would increase the costs 10*s.* for a monition; the farmer, under the threat, did pay his parson the costs and got a receipt. In the following month the farmer received a second citation for the same tithe, and there being then but one proctor belonging to the Court of Ferns, who had been engaged by the clergyman against him, he, at considerable expense, procured the attendance of a proctor from the Court of Kilkenny; when the case was called on, the Judge refused to allow the farmer's proctor to interfere in his favour, unless he consented to become a proctor of the Court of Ferns, and pay the admittance fee to the Registrar. The poor farmer had to comply, and pay the fee for him. The proctor then referred the Judge to the statute, which alone gave him jurisdiction in such tithe cases, and which enacted that no second citation should issue for the same tithe, and claimed that the suit should be dismissed, and costs given in favour of his client. The Judge admitted the statute, and called on the defendant to prove his defence, who then handed to the Judge the receipt he had formerly received from the clergyman. The Judge, without reading it, twisted it up, and threw it with violence in the proctor's face, asking, "How he dared to give the Judge of a Court of Law an unstamped document?" and refused to receive it in proof. The farmer then referred to the clergyman himself, who was sitting near the Judge, "Whether, as a man of honour, he had not received the costs of the former citation?" The clergyman refused to give any answer. The defendant's proctor next said, the Judge had the means of knowledge within himself, and requested him to refer to his order or rule-book which lay before him. This the Judge refused, saying, he would not be accessory to defrauding the Registrar of his fees; but that if the farmer would pay him for making a search, the book should be referred to. It was then proposed that the Registrar should be examined as a witness; but here again the Judge interfered, on the ground that it would deprive the Registrar of his fee, which at length, as a last resource, the farmer paid; and the Judge referred to the rule-book, from whence he read, that the former suit had been called on and dismissed, and costs given against the farmer; but, added the learned and reverend Judge, "it must be a mistake;" and he forthwith ordered the unfortunate farmer to pay the tithe then claimed, and also the costs of his second suit. The farmer astonished, with tears in his eyes, begged for mercy, or, at least, that the former costs should be deducted; but the Judge told him, that if he did not pay what was now ordered, a monition should issue at his cost, and that if he said a word more, he should be sent to gaol for disturbing the Court, and delaying the course of public justice. Several other causes were afterwards tried on that day, for claims by the same clergyman for tithe of tobacco at 10*l.* per acre. This new claim was granted to the Clergyman, and the Judge followed his decree, by saying, "That he wished the clergy of the diocese to bring suits before him for the tithes of everything that grew in their parishes, and he would decree in their favour; and if they could prove to him that ink-bottles grew upon trees, he would tithe them." Another parish from whence the petitions had come was Carne; it paid on an average, 10*s.* an acre tithe; it had only two Protestant families in it; and one of them, an old gentleman, had been for the last thirty years perpetual Churchwarden—there not being a second male Protestant parishioner; yet the clergyman wanted to force the parish to build a new church, on pretence that the old one was too small for his congregation. Another of the petitions came from the union of Duncormuck, where the Rector endeavoured to enforce the payment of tithes of eggs, poultry, and milk, which were unknown in Ireland. Another was from Maglas; the former clergyman of which used to erase the sums charged by his tithe proctors in their valuation books, and insert larger sums in lieu, which he, in some instances, recovered from his parishioners; but the fraud was at length discovered. Those were a few instances of the tyranny of the present system. For centuries had this grievance been complained of; for centuries had the Irish in vain demanded justice; and he should conclude with the sentiment of a learned and respected Prelate, "May their hatred to tithes be as lasting as their love of justice."

Lord *Althorp* did not, by any means, think it desirable to interfere in the debates on petitions; and if this petition had only been supported by the speech of the hon. Gentleman who presented it, and the hon. Gentleman who followed him, he certainly should not have been tempted to address the House on the subject. But what had subsequently fallen in the course of the debate, and some of the observations of the hon. member for Wexford, made it imperative on him to trouble the House for a few minutes. The hon. Member had referred to certain observations of a noble friend (Earl Grey) of his elsewhere. The hon. Gentleman represented his noble friend as ready to deluge Ireland with blood, in order to enforce the collection of the tithes in that country. "I was present," continued the noble Lord, "when allusion was made the other evening to what had fallen from my noble friend; but, though very much astonished by the version of his sentiments then quoted, I did not feel myself justified in making any observations either to affirm or contradict what was then said. But I felt extremely surprised that such a version could have been given of the sentiments of my noble friend; for when I recollected the political principles which have guided the public conduct of my noble friend, and which entirely correspond with my own, I was convinced there was a misconception somewhere. I find I was right, and that my noble friend and myself agree in this—

that, while we are prepared to enforce the laws when broken, yet we should be departing from the principles which we have acted on through our lives, if we did not contend that, when extraordinary powers are demanded to enforce the law, they ought not to be granted, unless accompanied by an efficient remedy for the grievance which occasions the demand. This is the principle on which my noble friend and myself have invariably acted, and which we are not disposed to depart from on the present occasion. While we feel that it is absolutely necessary that the law should be upheld—that all illegal combinations should be put down—we also feel, that if the resistance to that law and those illegal combinations have their origin in any grievance which it is in the power of the Legislature to remedy, the Legislature is bound to remedy that grievance. This is the principle on which the Government is determined to act with respect to the tithe-system in Ireland; and this is the only principle on which it can consistently act."

Mr. *Hume* said, he had heard with great delight the emphatic observations of the noble Lord; and he was sure they would greatly tend to allay the anxiety that had existed since the statements supposed to have been delivered by a noble Earl had become public. The contradiction thus given would cause great satisfaction in the country. The speech of the noble Earl, he was fully convinced, had been misunderstood, for it was impossible to believe that the noble Lord, the Chancellor of the Exchequer, with that frankness which characterised him, would make such a statement, unless the Government intended to act fully up to it.

Mr. *O'Connell* expressed his humble and hearty thanks to the noble Lord for the few observations which the noble Lord had just made, and which he had listened to with unfeigned pleasure; the more so, as those remarks which it was supposed a noble Lord had made elsewhere had filled thousands of the people with consternation and alarm. He believed that, on the principle laid down by the noble Lord, no one would be found who would not uphold the Government; while the principle of enforcing the present laws, without remedying the grievance, would be unendurable.

Lord *Althorp* begged leave to add, that his noble friend regretted that he should have so expressed himself as not to be clearly understood as determined to enforce the law on the condition, which he had just stated, of accompanying it with a remedial measure for the grievance which occasioned the necessity for any extraordinary powers.

Mr. *Shaw* could not hear with patience the unjust accusations which had been made against the clergy of the Established Church in Ireland. Their moderation, in general, was extreme. It was impossible to meet the cases brought forward on the sudden by hon. Gentlemen without previous notice, but he could take upon himself to assert, the tithe they required did not equal one-twelfth of the rental demanded by the landlords. That fact was a full proof of the moderation the clergy exercised in the enforcement of their rights. They were contented with one-twelfth of the amount of the rent, instead of one-tenth of the gross produce of the land. The law of the land, however, was to pay the tithe of the produce, and he who resisted the payment violated the law. A distraint was only employed as the remedy, in case of the refusal to pay the tithe. The fact was, that a combination had for a long time existed against the payment of tithe, by certain persons who derived their own advantages from agitation, and he feared it had been encouraged by some of a higher order. There was no indisposition on the part of the Protestants to pay tithes, and it was only a few years ago that Catholics willingly did the same, such tithes being properly viewed as merely a rent upon the land. The present opposition to the payment of tithes could be easily and satisfactorily traced to the writings and general conduct of the Catholic priesthood. The hon. member for Wexford (Mr. Walker), when he concluded his speech by a quotation from the works of Dr. Doyle, let out the real truth. That rev. gentleman had recently even gone farther, and, in his last pastoral letter, he had called upon his flock to resist the payment of tithes, as a "damning impost," with all their "art and ingenuity." He did not mean to say, that the present system would not admit of some modification; but, as long as the law remained as it now was, it would be the duty of the Government to enforce obedience to it.

Mr. *Blakeney* said, he had heard with satisfaction the sentiments of the noble Lord, the Chancellor of the Exchequer, upon this very important subject; but he regretted that the grievances of Ireland were generally considered as of no importance in that House: much was expected by some gentlemen from the Tithe Committee, but he could tell the House, that in Ireland that Committee was regarded as a mere nonentity, and nothing good was expected from it. Ireland was now labouring under a cholera, which was not like the cholera in England. The cause of the disease in England was unknown, and therefore could not be guarded against; but the causes of the Irish cholera were well known, and the people were determined to abate them. The root of the disease was the tithe system, and persons of all sects were rapidly uniting with the Catholics to make a national resistance to the payment of tithes. [*Question.*] He should like to see the Gentleman who wished to put him down when he was discharging his duty. The people of Ireland could expect nothing from the Tithe Committee appointed, because persons best acquainted with the subject, and in whom the Catholics placed confidence, had been excluded from it.

Sir *Robert Peel* said, it has been my uniform wish to discourage premature discussion on a subject which it is difficult to discuss without prejudicing that deliberate consideration which the House will be bound to give to it hereafter. I shall not, therefore, be tempted to enter into this discussion, and I once more advise the House to reserve its judgment until the Committee shall have sent in its Report. We shall then have before us at once the conclusion to which it has come, and the evidence upon which it came to this conclusion. But, Sir, I cannot refrain from expressing my deep regret at the declarations made by the organs of his Majesty's Government in the two branches of the Legislature, which, whether they be reconcilable with each other or not, are certainly calculated to make impressions and raise expectations of a very dangerous character throughout the country. The noble Lord's declarations will certainly make the deepest impression. I presume that that speech has originated from some change in the intentions of the Government. Whether that be the case or not, I will not be a party to the delusion which I think that speech is calculated to produce. I therefore feel bound to say, that I have heard no proposition made to the Tithe Committee, with respect to a permanent arrangement for a provision for the clergy of the Established Church in Ireland, which is calculated to realise the expectations which, I think, the speech of the noble Lord holds out. Seeing the construction which has been put upon that speech by the Gentlemen from Ireland, and knowing how probable it is, that a still stronger construction will be put on it by the people of Ireland, who did not hear the speech, I feel it to be my duty to disclaim being any party to that misrepresentation. I think that that speech is calculated to preclude the enforcement of the law. It is true, the noble Lord says that the existing law shall be enforced; but he also says, that the grievances shall be redressed. Now, to make that declaration, unless his Majesty's Government is prepared with a specific plan for the effectual removal of the grievance, seems to me to be most unwise, and only calculated to render the enforcement of the law impossible. If the Ministers are prepared to bring forward a plan to provide for the clergy, differing in character from the system of tithes, I hope they will bring it forward without delay; but I entreat them, if their opinions are settled, and the plan is ready, at once to relieve the Committee from all responsibility on this subject, and not to devolve on the members of it that serious consideration into which we must enter, if we are subsequently to recommend a final arrangement of this very difficult question.

Lord *Althorp* said, I have heard with very great surprise the observations of the right hon. Baronet; for I thought that I had before distinctly guarded myself from such remarks, by stating our determination of enforcing the law. But I stated then, and I have no hesitation in now stating again, that I think, that if extraordinary powers are to be called for from Parliament to enforce the law, the resistance to which has arisen out of a grievance, we are equally bound to propose a remedy for that grievance, in conjunction with the application for those additional and extraordinary powers. The right hon. Gentleman says, that what I stated had a direct tendency to prevent the enforcement of the law; I cannot imagine how this can be proved. The right hon. Gentleman also says, that I ought not to have made my statement, unless I was prepared to absolve the Committee in both Houses from their inquiries and release them from contemplation, should be adopted, he should cease to attend the future meetings of the Committee, as he felt their proceedings were a mockery. He hoped that the right hon. Gentleman would disclaim any intention of introducing such a measure, and say distinctly whether the tithes were intended to be appropriated to any other purpose than the maintenance of the Established Church?

Mr. *Stanley* answered, that he was responsible for his own language, but was not responsible for that of another person. He thought he had stated, as far as was proper or requisite, the views of the Government; and, with respect to the threat of the hon. and learned Gentleman, he should only observe, that much as he might regret the future non-attendance of the hon. and learned Member, the other members of the Committee would recollect that his first attendance at the Committee had been on the day before yesterday.

The Petition was laid on the Table.

Mr. *Lambert*, on moving, that the Petition be printed, assured the noble Lord, that he had never meant that the amount now paid in tithes should be merely taken from the pocket of the parson to be given to the landlord. He would merely add, that he thought the declaration that had been made by the noble Lord, would have a happy effect towards insuring obedience to the law, and he trusted that no measure of coercion would be necessary.

Mr. *Wallace* heartily concurred in that opinion. The impression made by the declaration attributed to another noble Lord, would have caused great mischief in Ireland, unless it had been modified by the explanations the House had just heard. That there were grievances connected with the tithe system had been declared in the Speech from the Throne, which also referred the consideration of them to the House to find a remedy. He trusted, therefore, notwithstanding the remarks made by the right hon. member for Tamworth, that it was from Ministers, and not from the report of a Committee, that the country was to look for a measure of relief.

Sir *Robert Inglis* thought, that the last observation of the right hon. Gentleman, the Secretary for Ireland, had only tended to establish a premium for discontent. In future it would be a mere question of the amount of openly expressed discontent required to put down any grievance; and the necessary amount of discontent being found, it would be readily applied for such a purpose, and the grievance would disappear. Did not the Ministers perceive the evil effect of the precedent they were thus establishing? Did they not perceive, that if they gave up one great body in the country, they would never be as well able to defend any other that might be attacked? What was to prevent a similar combination against the payment of rent and taxes. According to the principle they were now called to legislate upon, if an extensive combination of such a nature arose, they would be bound to concede. He was satisfied, if such a course was adopted, it would shake the security of all kinds of property.

The Petition to be printed.

CHOLERA MORBUS.] Lord Althorp brought up certain papers relating to the Cholera Morbus.

Mr. *Croker* said, he had yesterday called the attention of the Government to the necessity of the fullest investigation, with a view to ascertain in what degree the disease ought to be considered contagious or infectious. He had heard that it had now been ascertained that the first case was that of a man following the occupation of a ship-scraper, and that he had been attacked by the disease while at work on a ship which had come direct from Sunderland. He wished to ask the right hon. Vice-President of the Board of Trade whether he had any information to give to the House upon the subject?

Mr. *Poulett Thomson* said, that as far as the information the Government had received went, this was not the first case that had occurred in London, although it was the first that had come regularly under the cognizance of the Medical Board. It seemed to have arisen under the circumstances stated by the right hon. Gentleman. The man had been employed for two days, on Board a vessel from Sunderland; that vessel had performed the usual quarantine of ten days; and he believed that the man referred to had not been in communication with the crew, who, he understood, had been all changed. He would not, however, pledge himself to the accuracy of these details, as the question had come upon him unexpectedly. He could assure the House, that every exertion should be made to procure exact information with regard to all the cases.

Mr. *Croker* said, it was impossible to expect more from the Government. The statement made by the right hon. Gentleman was of great importance; and he thought that enough had now taken place to direct the attention of the medical profession, and the public generally, to one most remarkable fact, in the history of this most extraordinary disorder, with a view to enable them to ascertain the cause of the spreading of the disease, and the means to arrest its course.

Mr. *Warburton* wished to mention a circumstance of which he had been informed in the course of the day. He understood that the body of one of the persons who had died of this disease had been visited by multitudes of spectators, who went into the room where it was, and there inhaled the atmosphere of the close room in which it lay. He deprecated, in the strongest manner, the gratification of such idle curiosity, and wished to take that opportunity of stating, that it was the duty of the parish officers, and of the police, and undoubtedly they had the power, to prevent the repetition of such conduct.

Colonel *Evans* wished to have some information respecting the case of a soldier in the Guards who had been attacked by cholera, and who was attended during his illness by a great number of persons none of whom had since been attacked by the disease; a proof, if the fact were as he understood it, that the disease was not of that dangerously contagious nature which had been represented. In Sunderland, it appeared that the disease had spread more to the northward than the Southward, which was another proof of the same fact; for otherwise it would have spread nearly equally all around. He begged to ask, whether there was any objection to lay the papers relating to the case of the soldier of the Guards, before the House?

Mr. *Poulett Thomson* said, the only papers he knew of relating to that case consisted of a report, in which the medical men distinctly attributed the soldier's illness to other causes besides the Cholera. He did not know of any objection to lay the papers on the Table, except that they did not relate to the subject.

The papers brought up by Lord Althorp ordered to be printed.

Office of High Sheriff.] Mr. *Fyshe Palmer* moved for leave to bring in a Bill to regulate the Office of High Sheriff. He was aware that this was a subject which did not excite much interest within the walls of that House; but if he could judge from the quantity of letters he had received from the gentry of the country, it had excited a very great interest among them. They all complained of the great expense attending the office of Sheriff, and the heavy responsibility attached to it, and the report of a Committee above stairs fully justified those complaints. Notwithstanding that the office of Sheriff was one of great importance and respectability, and conferred the highest rank in the county, yet it was undoubtedly true, that the country gentlemen were most anxious to avoid accepting it by every means in their power. If any hon. Member doubted his statement, he need only attend the Exchequer Chamber on the morrow of All Saints, and he would be convinced of its correctness, by witnessing the exposure of family secrets, and the number of excuses, on the score of poverty and encumbrances, made by those who wished to avoid serving as Sheriffs. This was an evil which called for some alteration in the existing law. By the Bill which he proposed to bring in, he intended to make that which was now avoided by country gentlemen an object of ambition. If the dislike to the office arose from the careless nomination of Sheriffs, in the admission of persons not properly qualified, then the evil should be corrected by better regulations: if, from the heavy expense attending the execution of the office, the collection of rents, the quit-rents, and rolls of 200 years past, then the useless ceremonies should be abolished, and the expense diminished; if, from the tedious delay and expense in obtaining the release from office, then some means by which the accounts might be more easily and expeditiously settled, &c, ought to be proposed. These objects he had endeavoured to effect by his Bill; and, as his only purpose was to remove from the minds of country gentlemen any disinclination to serve the office of Sheriff, he should be anxious, after the first and second reading of the Bill, to refer it to a Committee up stairs, where it might be made efficient and useful. He, therefore, moved for leave to bring in a Bill "to regulate the office of High Sheriff, to reduce the expenses attending it, and to facilitate the passing of their accounts."

Mr. *Paget* seconded the Motion. He thought that there was no part of the law of England in a more disgraceful state than the law relating to the office of Sheriff. It was loaded with every description of vexatious expense, and he hoped the House would rescue from degradation an office which formerly was considered of the highest importance. Now, however, this officer had degenerated into a mere lackey for the Judges, he was divested of all his important duties, but nevertheless he was subjected to much expense for show, and much hazard from losses. He was surprised that the Gentlemen of England had suffered the office to fall into such an idle piece of pageantry, and had so long submitted to this wasteful expense.

Mr. *Godson* hoped that the Bill would not be confined to the mere expensiveness of the office, for, he believed, that that was the least grievous part of the system. The office of Under Sheriff was so profitable that there was scarcely any Attorney of respectability who would not indemnify the Sheriff against the expense. It would be proper for the House to institute an inquiry into the duties and responsibilities of Sheriffs.

Mr. *George Bankes* denied that Under Sheriffs would indemnify the Sheriffs against the expenses of their office. He thought the hon. Member had done himself much credit by the pains he had taken in bringing forward this measure—and the country was much indebted to him for it.

Leave given to bring in the Bill.

MEMBERS' PRIVILEGE FROM ARREST.] Mr. *Baring* rose to ask leave to bring in a Bill to restrain the privilege of Members of Parliament, in so far as regards freedom from arrest in the case of judgment debts. The subject was one which required the attentive consideration of the House. In bringing it under their notice, he should not go into any antiquarian research as to the origin of their privileges as to exemption from arrest, but should at once proceed to the question, whether the privileges were not such as in the existing state of society were unfit to be continued. The condition of society had so much altered, that whatever might have been the necessity for them in former times, he thought that necessity had ceased in the present day. All would agree with him, that those privileges which were not calculated to add to the independence and the dignity of that House, or to secure in the fullest manner the attendance of its Members, were unnecessary, and they were the less fit to be continued, if, at the same time, they tended to the degradation of that House, and to the production of an unequal state of the law between man and man. When such was the case, the sooner such privileges were got rid of the better. The privileges of exemption were of two descriptions—first, the exemption from arrest, as respected criminal proceedings; and, secondly, the privilege of exemption from arrest for personal debts. Hon. Members were of course aware, that the first privilege did not extend to treason, felony, or breaches of the peace; but only tended to prevent the interference of Government officers, to deter a Member from the exercise of his duty. That privilege had usually been dealt with in the way of resolutions; whereas an arrest for debt had always been considered a direct breach of their privileges, and had been dealt with accordingly. In former times these privileges extended much further than at present. At one period no action could be brought against a Member of Parliament on any account. The law in this respect subsequently became involved in some doubt, and in the reign of James I., a Declaratory Bill was introduced, which allowed persons to bring actions against individuals who had been Members of Parliament, but were not Members for the time being. At a later period the absurdity and injustice of the law relative to the privilege of Parliament, again attracted the attention of the legislature, and in the 12th and 13th of William III. an act was passed which was entitled "an Act to prevent inconveniences that may happen by the privilege of Parliament," and by its provisions, Members of Parliament might be sued in the intervals between the Sessions and during that time only. As the country advanced in civilization, a further change in the law was found necessary, and the 3rd Geo. II. was passed to enable creditors to sue their debtors, being Members of the House of Commons, not only during recesses, but during the sitting of Parliament, still preserving to them the privilege from personal arrest. The next statute on the subject was the 10th Geo. III., which gave a creditor the power to proceed against a Member of Parliament by distress and the seizure of his goods. Thus it appeared, that Parliament had gradually dealt with this question, as the state of the law had been shown to be imperfect. No person who examined the subject could fail to perceive that this privilege of freedom from arrest had its origin in jealousy of improper attempts on the part of the Crown. In proportion as the law became better administered, and the power of the Crown placed within proper bounds, the privilege of Members had been found inconvenient and prejudicial to the general interests of society. Originally the power of the Crown had been very great, but, as that declined, the House had step by step receded from its peculiar privileges. Another remarkable change in the law respecting privilege was effected by the statute of the 52nd of Geo. 3rd, which enacted, that if a Member became a bankrupt, and did not pay his debts within a limited time, he must vacate his seat. The preamble to that Bill was to the following effect:—"Whereas it is highly necessary for the dignity and independence of Parliament, that Members of the House of Commons becoming bankrupts, and being unable to pay their debts, should not retain their seats." It was now necessary for him to state the change which he proposed to effect in the law as it at present stood. The effect of the Bill which he should move for leave to introduce, would be to deprive Members of the privilege of freedom from arrest, in the event of judgment being given against them. He did not mean to touch the right of exemption from confinement in certain criminal proceedings, nor to destroy the privilege of freedom from arrest on mesne process; his intention by the Bill was, to deprive a Member of Parliament of his privileges in the event of actual judgment against him, supposing that within three months (or any other limit, the House might think proper) after judgment, he did not pay the debt. The question was whether, to use the words of the preamble to the Act which he had just referred to, it was not "necessary, for the dignity and independence of Parliament," that Members of the House of Commons should not set their creditors at defiance. Merchants, whose business it was to embark in speculations, might become bankrupts without any impeachment of their honour or character; but the case was far different with persons who contracted debts with their tradesmen without having the means of paying them. Why then, he would ask, should an individual who incurred debts without the means of discharging them be protected, while another who was only unfortunate, lost that protection. It was evident there was much moral turpitude in the one instance, and almost only a want of prudence in the other, and yet the man who was guilty of the offence retained his seat, and the unfortunate man lost his. He could assure the House that the present system was productive of great hardship to creditors, and was attended with much discredit to the House. Facts had come to his knowledge which really almost surpassed belief. He would abstain from mentioning any recent instance of the abuse of the privilege of Members, but would refer to one which occurred in 1820. In that year Richard Christie Burton was a prisoner in the Fleet, for debts to the amount of 7,600*l.* partly judgment debts. He contrived to get returned for the borough of Beverley, and thereupon claimed his privilege of freedom from arrest. His claim was referred to a Committee, who could not do otherwise than report that he was entitled to his privilege. Mr. Burton, therefore, came into the House; but he believed that he did not enter it a second time, for he left the country. By these means he not only escaped from his creditors himself, but relieved his bail. Under these circumstances, he was justified in saying, that the privilege in question was not only productive of serious practical inconvenience, but operated unjustly towards such of His Majesty's subjects as had not the advantage of the privilege, and was most degrading to the character of Parliament. It was on these grounds he called on the House to interfere. He wished to introduce his Bill and have it printed, when it could be thoroughly examined by the House; and he trusted, therefore, hon. Members would postpone any discussion upon its merits at present, and allow him to have it brought in without opposition. He would, therefore, conclude by moving for leave to bring in a Bill for limiting the privilege of Members of the House of Commons as to exemption from personal arrest—for vacating the seats of insolvent Members in custody, and for preventing the election of persons avowedly insolvent, to serve as Members of the House of Commons.

Mr. *Hunt* rose with much pleasure to second the Motion. It would be heard with satisfaction throughout the country that such a Bill had been brought in; and not the less so because it was proposed by one of the richest men in the kingdom, and seconded by one of the humblest. He assured the House that he had risen to second the motion without the consent or knowledge of the hon. Gentleman, who had never consulted him. He himself recollected a case in addition to that of Mr. Burton's, namely, that of Mr. O'Rourke, who about thirty years ago was confined in the King's Bench Prison for debt. He got himself returned for a borough, but never came to the House. He had his horses ready at the door of the prison, from whence he started for the continent, and from thence he never returned. Thus his creditors were robbed of all he had, and got nothing whatever. He hoped the House would receive this Bill unanimously, and he also hoped that it was but the commencement of abolishing other unjust privileges, enjoyed by Members, such as franking, which was grossly abused and often converted into lucrative purposes by merchants, bankers, and persons connected with large establishments.

Mr. Alderman *Waithman* gave his most cordial consent to the Motion. He had the misfortune to know something of the case alluded to by the hon. Member who had brought it forward. Burton was living in the rules of the Bench, in one of the best houses in the Blackfriars-road, and, upon the occasion of his wife's death, his sisters had come to him (Mr. Alderman Waithman) to purchase mourning, for which he had never since been paid. He knew another instance which he believed was even worse than that. It was the case of a man who was heir to a peerage, but, who was indebted several hundred pounds to a poor widow with a large family. This person, on being pressed for payment, said that if he did not in a short time obtain his peerage, he would get himself elected into that House, and set all his creditors at defiance.

Sir *Charles Wetherell* said, the origin of this privilege was rather as a protection against the Crown than against private individuals. For his own part, he concurred in the principle laid down in the Bill, which only further curtailed privileges that of late years had been considerably diminished. His hon. friend had, he thought, wisely continued the privilege in cases of mesne process, as nothing was more common than to arrest persons upon the mere affidavit of fictitious creditors; and, therefore, he thought it necessary that Members should be protected from such debts. In curtailing the privileges of Members, the House ought to take care that Members should not be put in a worse condition than private individuals.

Mr. *Croker* agreed in the justness of the principle laid down by his hon. friend (Mr. Baring), but he felt at the same time that very great difficulties would be experienced in managing the details of the contemplated Bill. While it was desirable that Members of Parliament should have property to an amount that should render them moderately independent, it was also not less desirable that the law should protect their persons from vexatious arrest. A bankrupt or insolvent must necessarily have lost his qualification so that it required no Act to deprive a person so situated of his seat. For himself he would gladly devote every attention to the Bill when it came before the House.

Mr. *Lambert* thought great inconvenience would accrue to landed proprietors from the penalties imposed by the Bill, and such Members as had constituents, must find the exercise of their duties no such sinecure as to induce them to give up any of the privileges they possessed. Besides, the state of landed property was now such, that there were many landed proprietors who owed judgment debts, but who, at the same time, possessed estates to ten times the amount in fee-simple property, and such persons at the pleasure of a creditor, or of an enemy, who might purchase up such debts, might be deprived of his seat. In fact, if this Bill passed into a law, not one in twenty country Gentlemen could hold his seat for forty-eight hours. Some years ago many banking houses stopped payment, most of whom with time paid their creditors in full; but, if such persons with all their facilities for raising money failed, how should the unfortunate landholder pay his debts at once, when all his obligations had been doubled in value, and his means of meeting them reduced in the same proportion? He protested against the privileges of Members being curtailed. He begged to ask the hon. Member how long could either Mr. Pitt or Mr. Fox have sat in that House under the operation of such a Bill.

Mr. *Baring* said, when banking houses

failed, the proprietors, if Members of Parliament, lost their seats. Further, he begged to say, that the Bill would not enable any person to make use of a bond judgment, given as a security with a mortgage, in the way supposed by the hon. Gentleman; if it did, the objection would be great. His only desire was, to place Members in the same position as they would be in if they had not a seat, with regard to judgment debts.

Leave given.

IMPROVEMENT OF THE HOUSE OF COMMONS.] Colonel *Trench* rose, pursuant to notice, to move for a Committee to consider what Improvements it was expedient to make in the House of Commons, and the buildings attached to it, for the purpose of rendering it more commodious, and facilitating the discharge of public business. Every one was aware, that for some time past, whenever there was a full attendance of Members, there was not sufficient accommodation for them. This large attendance, he believed, was not likely to be diminished. It was of great importance, therefore, that the building in which they met should be more commodious. At the present moment, when the capital was visited by a pestilential disease which had scourged so many parts of Europe, it might be worth while for hon. Members to consider whether their close attendance in that House might not render them more susceptible to disease. The House was aware that the subject had been already referred to a Select Committee, of which, amongst others, the hon. member for Middlesex, (Mr. Hume), now unfortunately absent, was a Member. The hon. member for Middlesex, though so great a friend to economy, was of opinion that, instead of attempting any alterations in the present House of Commons, it would be better to erect a new and magnificent House of Commons, to which the present building might be attached, as a library or lobby. The expense of such an erection had not been accurately defined; but it was only fair to the hon. member for Middlesex to state that a great proportion of the Committee concurred in his view of the subject, and accordingly agreed to three resolutions, which were subsequently reported to the House. The Committee had in their first resolution declared, that the House did not afford sufficient accommodation to all the Members. He would not then enter into the details on which they founded that opinion, but at once observe, that the same Committee, in their second resolution, after hearing all the evidence on the subject, declared also that no alteration of the House which had been suggested, could, in their opinion, afford such additional accommodation as the health and convenience of the Members, or the despatch of public business required, and that as there appeared to them no alternative between building a new House of Commons, or allowing the House to remain in its present state, they thought they were not justified in going into any further inquiries without again recurring to the opinions and pleasure of the House. Notwithstanding this report, he (Colonel Trench) was of opinion that the House might be greatly improved by taking in the lobby. The present house was wholly unfit for its purpose, from its want of capacity, the prevalence of hot currents of air, and the narrowness of the seats: the results which would follow from his plan being adopted, would afford accommodation for an additional hundred Members. He begged therefore to move for a Select Committee to be appointed to consider the state of the buildings comprising the House of Commons and the offices connected with it, with a view to the better accommodation of the Members, and to facilitate the transaction of public business.

Mr. *Warburton* expressed his surprise that the gallant Member should have supposed that the member for Middlesex intended to favour the erection of a magnificent House of Commons. He had not been on the Committee, but he had conversed with his hon. friend on the subject, and he knew that magnificence formed no part of his plan. His plan was merely to build a larger and more commodious House, if the Members agreed that the present one was not sufficient. He (Mr. Warburton), however, objected to the proposal of the hon. member for Cambridge (Colonel Trench), which went to make an inconvenient oblong room still more inconvenient. If they wanted a plan with all the advantages of hearing and seeing, let them take one of the theatres of the London University, where every person was placed at the same distance from the President, so that by seeing every person present he had the means of preserving order in the whole assembly. Every one acquainted with that House knew that, from its shape, it was impossible for the Speaker to preserve, on crowded nights, the order that was desirable. With this feeling, he, for one, would prefer the erection of a new House to the adoption of the plan of the hon. Member, which, he was confident, would be found nearly as expensive, without giving any of the requisite conveniences. With regard to the Committee, he would only say, that as the hon. Member had tried his plan before one Committee, he did not see why he was to have another for precisely the same purpose. He thought it would be infinitely better for the Members to come at once to the conclusion of whether it was fitting to have a new House or not; and if they thought that a new one should be erected, to refer the matter at once either to the Board of Works, or to an architect chosen for the purpose.

Sir *John Wrottesley* said, the simple question for the House to determine was, whether it would have a new building or not, as he believed every one who knew anything of architectural matters was satisfied that the alteration proposed by the hon. Member would not give satisfaction, and at the same time prove nearly as expensive as a new building. With respect to the hon. Member's Motion for a new Committee, he, for one, was inclined to object to it, as it would be, he conceived, a waste of time as well as a great expense, for they could not expect that professional men would attend as witnesses unless they were paid for it. Instead, therefore, of granting another Committee, he would recommend the House to pause, and take time to consider whether they would be content with the present building, or erect a new one.

Lord *Althorp* confessed he laboured under some difficulty with respect to the question. He had consented to the appointment of the original Committee, but he had not held out any hopes of being able to concur in the report, if they recommended any very extensive alterations, and still less if they proposed building a new House of Commons. His opinions having undergone no change on this subject, he could not say he approved of the motion for a new Committee; but yet, as he knew that the hon. and gallant Gentleman (Colonel Trench) had taken great pains, and was very sanguine on the subject, and as further inquiry might be useful, he did not like to reject his motion altogether. He was not sure that, even if the Committee reported in favour of the hon. Gentleman's plan, that report would influence the House. At the same time, he did not wish to give any opinion, and begged to be considered as leaving the matter to the House, and not interfering in one way or the other.

Sir *Robert Peel* wished the question had been distinctly put, whether Members would submit to the inconveniences which at present existed, or resolve that a new House of Commons should be erected. Had that question been brought before the House, he did not hesitate to declare that he should vote against the proposal for building a new House. As to the minor proposal—the plan for improving the House, as stated by the hon. and gallant Gentlemen—as it had not been recommended by the last Committee to which it was submitted, he could see no advantage in submitting it to another Committee. With respect to the objection of the hon. Member to the oblong shape of the room, he was happy to hear that so much harmony prevailed in the more circular buildings of the University; but, with all the imperfections of the oblong, the real business of the country could always be transacted between the two sides; and there was, he conceived, ample space, except on one or two occasions of a Session, for all who took part in the debates. The erection of an enormous building, in which not more than half the Members would be assembled five nights out of the six, would be found a great practical inconvenience. He confessed, too, that he was attached, in some degree, to the present building, from the associations with which it was connected. It was with a feeling of pride that he sat in the same House where Chatham, and Pitt, and Fox, and Wyndham, had made their greatest and most splendid orations, and he could never consent to make that House the mere avenue, or lobby to another. The expense of building a new House would not be confined to that alone. Offices, Committee-rooms, and all other conveniences, must be built as a matter of course.

Colonel *Trench* felt, that, after the expression of opinion which the House had heard on this subject, he should not be justified in pressing his Motion. He had all due reverence for the walls within which he spoke, but it could not be denied that the House was both inconvenient and unwholesome. He was still not without hopes that these evils would be remedied. The right hon. Gentleman in the Chair had, on a former occasion, beneficially exercised his judgment and discretion in some improvements which had been effected at comparatively inconsiderable cost, and he hoped that, by the same means, some alterations might be effected which would be found advantageous.

Motion withdrawn.

CHOLERA MORBUS—PRECAUTIONARY MEASURES.] Lord *Althorp* said, he wished to have had an opportunity, at an earlier period of the evening, to explain the objects of the Bill of which he had given notice.. He hoped the House would permit it to pass rapidly through all its stages. And, as it was probable that the Bill would not be ready to be placed in the hands of Gentlemen before it was passed, he felt it desirable to state more in detail than would otherwise be necessary the provisions which it was intended to comprise. He believed the House was aware that, although orders in Council might be issued, yet there was no power, as the law at present stood, to carry those orders into effect, and, therefore, the necessary regulations for the purpose of preventing contagion, and of providing accommodation for persons labouring under contagious disorders, could not be efficiently made in the present state of the law. Undoubtedly, in the proposition which he was about to submit to the House, he was giving great and extraordinary powers to the Privy Council, but he meant to limit those powers as to time. He would propose that this Bill should expire at the end of the present year, or of the then next Session of Parliament. The power, while it lasted, would be a very extensive one, but he was sure every one would feel it was desirable and necessary that such a power should be given. Of course, any orders, issued by the Privy Council, in execution of the power to be intrusted to it, would be submitted as quickly as possible to Parliament; but he thought that, in the first instance, the execution of those orders ought not to be lightly delayed. The first provision which he meant to introduce in the Bill empowered any three Members of the Privy Council, of whom the President of the Council, or one of the Secretaries of State was always to be one, to make orders for the prevention of contagion, for the relief of the sick, and for the burying of the dead. Every person would admit the propriety of using exertions to stop, as far as could be practicable, the progress of contagion. No one could deny that the greatest and most serious evils must arise from any delay in affording relief to those attacked, and as to the last, it was found that all precautions would be ineffectual unless measures were adopted for the immediate interment of the dead. The next provision of the Bill declared, that every person violating the orders of the Council for the preservation of the public health, should be held to be guilty of a misdemeanour, and fined any sum which might be considered expedient, from one pound to five pounds. Certainly this provision gave to the Privy Council very arbitrary powers, and nothing could justify such a proposition except the exigency of the case; but he thought that the necessity was such as to justify it in the eyes of all rational men. Then came the next point, namely, the expense of carrying these orders into execution, and on this account the Bill, as he at present proposed to frame it, would not be applied immediately to Scotland and Ireland, because there were no means in those parts of the empire of providing for the expense in the way proposed in this Bill. But he must observe, that another Bill would be introduced, as soon as arrangements could be made, for the purpose of accomplishing the same objects in Scotland and Ireland. The mode in which the expenses were to be provided for was, first, from the Poor-rates in the parishes, and ultimately the county treasurer would pay them out of the county purse; for it would not be just or fair to impose expenses which were incurred for the benefit of a large district upon an individual parish. The expenses sustained by a parish might be for the safety of its immediate neighbourhood even more than that for the parish itself where the malady existed, and therefore it was but fair that the expenses should be borne, not by the parish alone, but by the county generally, where the disorder prevailed. These were the principal provisions of the Bill, with the limitation as to duration which he had made, namely, the end of this year, or of the next Session of Parliament. He hoped the explanations which he had given were such as to induce the House to permit him to introduce the Bill, and pass it rapidly through its stages. He moved for leave to bring in a Bill for giving further powers to the Privy Council for preventing the spread of the Cholera.

Mr. *Warburton* begged leave to ask whether it was intended by this Bill so to augment the power of vestries as to enable them to raise such rates; because he knew there were parishes where the vestry would be willing to raise the rates, but it would be in the power of any parishioner to object to the rates as illegal? He almost wished that one day's delay might be allowed for the purpose of consulting with the parish authorities on this point, and of considering whether all the clauses had been introduced in the Bill, which would be necessary to carry its intentions fully into effect.

Sir *Robert Peel* said, he was quite satisfied of the necessity of some legislative enactment to ensure the observance of precautions calculated to prevent the spreading of the Cholera. Under the existing circumstances, when the danger was so imminent and indefinite, and when it was so difficult to see the precise course which it would be expedient to follow, to attempt to define the proper measures at present would be to defeat the object in view. He suspected no abuse of the powers which it was proposed to confer, and therefore thought it better to give a discretionary power to the Privy Council than for Parliament to attempt to define the precise nature of the measures to be adopted. To the substance of the Bill he had no objection. The Cholera was not a parochial disorder. It had begun at Sunderland, had travelled to Edinburgh, and was now in London. Why, therefore, should the expenses incurred for necessary precautions be made a parochial charge? The whole country had the deepest interest in the subject. The disease would probably rage with the greatest violence, and be felt with the greatest severity, in the poorest parishes, and the expense would be in proportion. As to the county paying the expense, that would be an arbitrary distinction, for Rutland was of one size, and Yorkshire another. We were all as much interested in preventing the spread of contagion in Bethnal-green as in Cumberland and Westmoreland. If a different bill were to be introduced for Scotland and Ireland, because there were no Poor-rates in those countries, he thought the arrangement would be most confused and complicated. The Cholera, if it got into Ireland, would, no doubt, be felt most severely there, and he did not see why the expenses should not be paid from the general fund.

Mr. *Stanley* said, that the 58th and 59th George 3rd had been passed for the purpose of preventing the spread of typhus fever in Ireland, and of providing for the necessary expenses. What was now necessary was, to extend the provisions of that Bill to the case of Cholera.

Sir *Robert Peel* said that, whatever was the case with regard to typhus fever, he should advise the Government to simplify their operations in the present instance—to consider Cholera as a peculiar case, and to give such powers to the Privy Council as would enable it to defray the expenses out of the public purse. In Ireland and Scotland to make it incumbent upon the local authorities to furnish the supplies would be very hard. They ought to have one authority—a metropolitan one—consisting of three members of the Privy Council, if the House thought fit, who should have the power to take whatever precautions were judged necessary with respect to places which were infected, and those which were not; but let them pay the charges out of the public money, as a matter of general concern.

Lord *Milton* could not help entreating his noble friend to accede to the proposition of the right hon. Baronet. He was sure this was a national, and, as the right hon. Baronet had said, not a parochial or a county concern. It interested the nation, and whatever concerned the nation ought to be paid by the nation.

Mr. *Hunt* asked how it would be possible to collect the rates in Bethnal-green, for instance, when the parish was already so much indebted to the tradesmen, who supplied it with necessaries, that they were daily threatening to stop the food necessary for the support of the poor creatures in the workhouse? They would defeat their own proposition if they required the parishes to pay all the necessary rates. He would call the attention of the House to a circumstance which he had seen stated in the newspapers. It seemed the Lord Mayor had been kind enough to offer to appropriate his house for an hospital, forsooth, for the sick. The house was in Abchurch-lane, in the very heart of the city. Now, he said, that was the very way to propagate the disease instead of checking it. He hoped, therefore, that the matter would be speedily taken up by other hands.

Sir *George Clerk* said, that, although the Cholera had not made any progress in Edinburgh, it was in the immediate vicinity of that city. He, therefore, thought it was necessary, that whatever precautions were to be taken to prevent the spread of the disease should be applied in the neighbourhood of that city without delay. He believed, if the noble Lord would consult the learned Lord Advocate, he would find it very difficult to carry into effect a bill imposing any expenses upon the local authorities. They had hitherto been defrayed by the zealous benevolence of the neighbourhood; but if the disorder were to make any greater progress, it would be impossible to raise the necessary funds by voluntary contributions. The Magistrates in that part of the country were very anxious to enforce the measures recommended by the Privy Council; but they found that they had not the power. He hoped his Majesty's Government would make the Bill applicable to Scotland and Ireland on one principle—that of paying the expense out of the public purse.

Lord *Althorp* said, the ground upon which he formed his proposal was this: if the expenses were to be defrayed out of the public funds, there would be no check, and it would lead to great extravagance. That certainly would be a false economy which would not afford sufficient funds; and yet he did think that there might be objections to giving such a power over the funds of the country for this purpose. It might, as he had said, lead to extravagant expense; and the house would not be pleased with such a step, without a necessity. Certainly no expense that was requisite ought to be spared; but, at the same time, it was better not to run the risk of any unnecessary expense if it could be avoided. He thought the mode proposed by the Bill would be found effectual, although he admitted that it would be improper to make the expense ultimately a parochial charge.

Mr. *Warburton* begged to ask, whether, in parishes voluntarily taxing themselves, the regulations made by the vestry for that purpose would be binding?

Lord *Althorp* said, that the Bill did not give that power. It enabled the Privy Council to order the expenses, and it made the orders of the Privy Council legal.

Mr. *Goulburn* thought, that what the noble Lord had just said was an answer to the noble Lord's own objection to the proposition of his right hon. friend. It seemed the Privy Council were to have the power to make orders, and, under those orders, the expenses were to be paid. Then the Privy Council would have an effectual control, and the payment of the money out of the public funds could not lead to extravagant expense. If the authority were given to the parishes, the result would be that, where expense was most necessary, an improper desire of saving their own money would restrain them, while, in other cases, personal fears would occasion unnecessary expense. He joined with his right hon. friend in hoping that the public funds would be applied to defray the expense.

Sir *Richard Vyvyan* said, the Bill ought to prevent unnecessary expense, but, at the same time, care ought to be taken, that every expense which was necessary should be incurred. He thought the fine of 5*l.* was not a sufficient penalty. It might, in many cases, be the interest of parties to break through the orders, and to bear the fine of 5*l.*, or even twice the amount. He should recommend to the Government to increase the fine, or to give additional powers to the Privy Council. He agreed with the noble Lord, that all the powers which were necessary ought to be given; they had all one interest on this subject; all party considerations ought to be thrown aside. He was convinced the Executive Government, whoever might compose it, would do what was most necessary for the health and welfare of the country.

Lord *Althorp* said, that the Bill gave a power to the Privy Council to punish any violation of the orders as a misdemeanour, or by fine or imprisonment.

Colonel *Trench* begged to know whether there was any provision proposed for burying the dead. Every one knew the melancholy state of the receptacles in the City. There could be nothing more odious or disgusting. It was therefore positively necessary that some receptacle outside the town should be provided for the bodies of persons who died of this disease.

Mr. *Poulett Thomson* said, that arrangements had been made for the appropriation of a large spot of ground, at some distance from the city, for the purpose of burying those who should die of the disease. The purchase had been completed that day. He thought that the details of the chief measures must rest with the parochial authorities, under the sanction of the Privy Council. He could assure the House that, since the breaking out of the disease, and the establishment of Boards of Health, Government had received applications from all quarters to be supplied from the public funds, stating the impossibility of raising the necessary supplies otherwise. They had recommended the individuals who made these applications to make subscriptions for whatever expenses were necessary, and in no one instance, hitherto, had there been a deficiency of preparation from the want of funds. Individual benevolence and private charity had supplied what was required. If the country were to pay the expenses, no doubt one of the grounds for private charity would be done away with; but he thought it better to leave the expense to be provided for by the parishes than to draw it from the public purse, for, in that case, it would be indefinite.

Mr. *Croker* was desirous of suggesting one consideration to the noble Lord. Suppose, by great exertion and at a great expense on the part of the inhabitants of the county of Kent, the disease should be confined to that county, and, through those exertions and that expense the county of Sussex should escape its ravages, would it not, he asked, be very hard that the county of Kent, in addition to the infliction of the disease, should be liable to all that expense by which the county of Sussex escaped? In such a case he thought that at least the neighbouring county should be liable to a portion of the expense. There was another point which he thought worthy of consideration. During the continuance of the pestilence it was impossible to doubt but that the trade and manufacture of the country, and consequently the subsistence of the poor artizans and labourers would be rendered very precarious; moreover, in consequence of the disease originating on the banks of the Thames, it was extremely probable that the commerce of that river would be placed in a state of quarantine by foreign powers. The effect would be, that the several parishes on the borders of the river would be called upon to supply food for an immense number of persons which the suspension of commerce would render destitute. By this means these parishes, which, it was to be recollected, were at all times very poor, would suffer most from the effects of the calamity, while the parishes which were best able to meet an increased assessment, would escape any burthen whatsoever. For these reasons, he was in favour of defraying all the expense from the Consolidated Fund, and he should be prepared to agree in the next Estimate of Civil Contingencies to any vote called for for such a purpose.

Sir *R. Inglis* said, he was apprehensive that the visit of Cholera was not likely to be very transitory. For fourteen years its effects had been visible in India, and he much feared that England would henceforth have reason to look upon it as one of the complaints indigenous to the soil. Such being his opinion, he thought some permanent enactment should be agreed upon, giving, however, power to the Privy Council, or some other body, to watch over, and, as far as possible, prevent the disastrous effects likely to ensue upon its propagation. He thought the expense should not be defrayed by any fund other than that of the country at large.

Sir *Matthew White Ridley* said, that in the part of the country with which he was connected, the hand of private charity had been extended beyond any former precedent, and yet it had been hardly sufficient to meet the expenses, and to give adequate relief in the suffering districts. What had been stated by the right hon. Gentleman opposite was perfectly true: the existence of the disease would place an additional onus upon the Poor-rates, and it was more than could be expected that a rate sufficient to meet it could be raised in any particular part of the country. The affliction had happily ceased in the northern part of the country to which he referred. They did not ask to be reimbursed the expenses they had been obliged to incur; but he was sure that he spoke the sense of the counties of Cumberland and Durham when he said that it would be impossible to meet the expenses necessary to check the disease without drawing upon the public funds. He saw no reason, however, for delaying the Bill, and, if it were deemed advisable to introduce any measure of the nature urged by the hon. Gentleman opposite, a clause might be added in the

Committee without obstructing the progress of the measure. It was a fact which might be easily ascertained that the Cholera was a disorder not entirely new in this country. If it should please Providence to perpetuate it amongst us, we must meet the evil; but he wished to impress upon the House and upon the country, that they should not give way to any unnecessary timidity or alarm. He spoke from experience when he said, that the disease fell on those chiefly who were most apprehensive, while those who boldly and courageously made efforts to relieve their fellow-sufferers were generally rewarded by getting out of the difficulty. There were but few instances at Newcastle, or its neighbourhood, of persons who were engaged in assisting their fellow-sufferers sinking under the disorder. He would also state another fact from his own knowledge—namely, that cases of Cholera appeared generally amongst the lowest classes, and selected its victims chiefly from those who were most intemperate and dissolute in their habits.

Mr. *Robert Adam Dundas* said, that no time ought to be lost by the House in making such legislative arrangements as should impose on the various parishes in the metropolis the necessity of providing proper houses immediately for the reception of Cholera patients, and enforce all other precautions—such as cleanliness and ventilation—to arrest the progress of the disease.

Mr. *Hodges* said, that he feared the assessments for the poor were scarcely able to hold out much longer in maintaining them, so great was the pressure on them: how much less able, therefore, would they not be to support any additional demand for the relief of persons suffering under this disease? To these it could not be hoped they would be able to hold out any prospect of relief whatever; and the only mode, in his opinion, of being able to meet the increased demands would be, by appropriating some portion of the public money for that purpose.

Mr. *Stanley* was disposed to agree in that view of this formidable disease, which represented it to be not so much local as general; and he was of opinion that no exertions which could be made to arrest its progress or avert its calamitous career could be too great. The question before the House bore no relation whatever to the mode in which the expense attendant on these exertions was to be defrayed or supported, but it was simply whether they would or would not use the best means which were suggested to avert and arrest the disease; and whether they would give certain individuals such a firm control over the public measures, and also over the funds which should be raised to execute those measures, as to enable them to render them most effectual, as well as to economise the expenditure of the public funds, and see that they were applied directly towards the purposes for which they were raised. Now, if the Legislature were at once to decide that the expenses to be incurred were to be defrayed, by order of the Privy Council, out of the public purse, it would be utterly impossible for any man to say where the claims on the public purse would stop. What fell from the hon. Baronet (Sir M. W. Ridley) in support of this suggestion, seemed to him to bear more against than for it. "Wherever this scourge had hitherto fallen, the calamities attendant on it had been mitigated by the instantaneous assistance which was afforded by the charity of the wealthy." But, if all demands were to be met by the public purse, the springs of private charity would be instantly dried up. He was of opinion, that in the first instance, the various parishes and counties ought to be left to manage their own expenditure, and if, after the ravages of the disease had ceased, it should be found necessary to afford any of them relief, he did not think Parliament would hesitate in reimbursing those parishes and counties where the disease had been most fatal in all the extra expenditure to which they had thus been unfortunately subjected. He should, therefore, in reply to what had been urged in favour of a grant of public money for this purpose, rather advocate the course of leaving the respective parishes to the economical distribution of their own funds in the first instance, leaving it to the consideration of Parliament to reimburse those who might suffer most severely.

Lord *Sandon* thought it would be advisable to have some check, besides the Privy Council, upon the funds raised in parishes for the purpose of meeting the disease. He begged to call the attention of his Majesty's Government to the difficulties which had arisen in populous places from the want of sufficient power in the Magistracy to remove nuisances.

Lord *Althorp* said, that the powers of the Privy Council were so large and so extensive, that it would not be necessary to increase them further than was proposed by the Bill, or to extend them to any other functionaries.

Mr. *Keith Douglas* stated, that in Scotland there was no power of raising parish rates for the purposes for which it was the object of the present Bill to provide. The county rates were not available in towns for such purposes. Any enactment relating to Scotland, therefore, must state some particular manner in which the necessary funds were to be raised, unless they were to be paid out of the public purse.

The *Lord Advocate* admitted that there would be considerable difficulty in making any local assessments in Scotland, owing to the varied and diversified manner in which rates were enforced in that country, at the same time that he confessed he was not at the present moment prepared with any proposition on the subject.

Sir *Robert Price* was much disposed to question if any effective control could be established over the money derived from the public purse for preventing the spread of contagion. It was his opinion that the merchants and landowners assembled in this great metropolis ought to contribute largely for the purpose which it was the object of the Bill to effect. He greatly feared that if it were once understood that the nation at large was to defray the expense of arresting the fearful calamity which then occupied their attention, the consequence would be a wasteful expenditure. He also feared that the declaration made by a right hon. Gentleman near him (the chief Secretary for Ireland) might in too many instances, be received as a distinct pledge that in all cases which might arise complete remuneration would be made. In his apprehension there should be no remuneration unless a case of necessity were very clearly made out by the local authorities.

Sir *Thomas Freemantle* agreed fully with those hon. Members who thought that there would be great difficulty in obtaining assistance of an efficient character from the parish, or even the county rates. It was notorious that there were great difficulties in collecting the amount necessary for the present demands upon them.

Mr. *Baring* said, that cases might occur which would be beyond the means of the parish rates; and, on the other hand, if people in general, and especially parish authorities, thought they could call indefinitely upon the Chancellor of the Exchequer, they would make such a power a pretext for burthening the nation at large with the expense of maintaining their own poor. The arrangement which he thought afforded the best chance of success was, that the immediate expense should be borne in those quarters where by law it ought properly to rest, and where the means of the district proved indisputably insufficient; then, but not till then, should the Privy Council interpose and grant aid.

Sir *Robert Peel* said, that though there had not been any previous communication between him and his hon. friend on the subject, yet there was not much difference in their sentiments. They need not go on arguing extreme cases, it was enough that in principle, there was no important difference between them. A clause might be introduced into the Bill, which would render it necessary that before any sums were issued under the sanction of the Privy Council, there should be a properly authenticated certificate, setting forth that the charges sought to be defrayed were incurred for the prevention or cure of Cholera, and were in their nature extraordinary, and had nothing to do with the usual maintenance of the poor of the district from which the application proceeded. To take an example, there was the parish of St. Paul's, Deptford; that was a parish which the inhabitants of the county of Kent would naturally enough regard rather in the nature of a metropolitan than of a county parish, and he thought it evidently one of those cases which ought to be provided for out of the national funds. For his part, he did not at all see how it could be rendered imperative upon vestries to make the necessary provision, and he thought that precautions should be taken to avoid anything like complex machinery. He was favourable to the Bill being read a second time that night, and before the following day some improvements might be devised and moved in the Committee.

Lord *Althorp* was ready to acknowledge that many of the suggestions which had been thrown out in the course of the present conversation were worthy to be considered. He hoped that, under the urgent circumstances of the case, the House would allow the Bill to be read a first and second time that night, and be committed on the following day. He did not anticipate that it would be necessary to introduce any additional clauses.

Mr. *Goulburn* wished that, with as little delay as possible, some arrangements should be made for making advances to the several parishes requiring aid, for the necessity was too urgent to be trifled with.

Leave given, Bill brought in accordingly, and read a first and second time.

CIVIL DEPARTMENTS OF THE NAVY.] Sir *James Graham* said, that, in bringing under the consideration of the House a proposition such as he had that night undertaken to bring forward, he felt he was incurring a great responsibility. He felt that in proposing any interference with so important a branch of the public service as the navy, he was doing that which ought to be well considered. If the responsibility of making such a proposition was great, he felt that the responsibility would not be less if he hesitated to lay before the House any plan which he conscientiously believed would be for the good of the service. He was sure the House would agree with him, that the navy of Great Britain did not present an object on which a spurious economy ought to be exercised. He felt that nothing would be a greater departure from the principles which ought to govern the advisers of the Crown, than any proposition which would endanger the efficiency, diminish the strength, or risk the superiority, of that branch of the public service. The House were aware that the civil service of the navy was conducted by three Boards—the Board of Admiralty, the Navy Board, and the Victualling Board. These three Boards derived their existence from patents under the Crown; thus they must be considered as deriving their command, authority, and jurisdiction, from the same source; but there was this difference between them in practice; the Commissioners for executing the office of Lord High Admiral went out with the Administration under which they were appointed; but the other Boards never did. Doubtless the King could revoke the patents of either of them, whenever the Crown was so advised, but it was unusual. These two Boards appeared to hold their existence by a similar tenure, though different from that of the Board of Admiralty, and they had been at all times held to be subordinate to that Board; yet, nevertheless, those subordinate Boards had at all times continued to divide the power and thwart the views of that Board presumed to be set in authority over them. This was inconsistent with the good management of public affairs. The authority of the subordinate Boards was uncertain; and, in the eye of Parliament, the entire responsibility for the conduct of naval affairs rested in the Board of Admiralty, because they were nominally invested with supreme control. This state of things had long since been found detrimental to the public interests; and the Committee which sat upon naval affairs afforded pregnant evidence of the mismanagement of the subordinate Boards, and of their successful opposition to the Board of Admiralty. He would not weary the House by going into details of the early history of the navy, because there was ample evidence of the mal-administration of naval affairs of a much later date. He would beg to refer the House to Mr. Pepy's Memoirs, in which book it was stated, that James the 2nd, then Duke of York, on his appointment to the office of Lord High Admiral, found himself compelled to dismiss these subordinate Boards, and, with the assistance of four Commissioners, united the whole control of the civil administration of the navy in his own hands. The effects of this alteration were almost immediately visible, it was the first dawning of that brighter era which was followed by the splendor which had since encompassed the navy of Great Britain, and had at length raised it to that pinnacle of glory where it had since remained, the envy and wonder of surrounding nations. It was a singular fact, that during the temporary absence of James 2nd from this country, the power of the subordinate Boards was restored, and it was subsequently found necessary, with a view to the improvement of the navy, to pursue the same course once more, and to abolish the subordinate Boards. The modern examples he should quote on the subject would, he hoped, have the effect of inducing the House to concur in his view of the necessity of the proposed alteration. He must here express, once more, his regret at the untimely suppression of the Finance Committee, which went into a full investigation of the civil affairs of the navy, and which, had it not been for the abrupt termination of its labours, would doubtless have afforded the most valuable information. With respect to the Board of Ordnance, that Committee did present a valuable report, from which very important information might be derived with respect to the subject under discussion. The House would permit him, perhaps, to read an extract from what was said by the Chairman of that Committee. The Chairman stated, on the part of his (Sir James Graham's) noble friend, the Chancellor of the Exchequer, who was unable to attend, that 'His impressions perfectly 'coincide with mine; and I am opinion 'that the feeling of Parliament with regard 'to the opposition of the Navy Board, and 'with regard to the reduction of expense, 'was fully borne out by the evidence given 'before that Committee.' With respect to the reductions to be made in the Navy Board, he says:—'I am of opinion that 'some such step is necessary, upon a full 'consideration of the evidence.' It was unnecessary to quote the opinions of other Members of that Committee who had, in the most precise language, confirmed the opinion expressed by the right hon. Baronet (Sir Henry Parnell), he would read a short extract from the evidence of a gentleman called before that Committee, who had been a Lord of the Admiralty, and had, therefore, some experience on this subject. That gentleman said, 'I am 'certainly of opinion that, if they will but 'carry the course they are proposing into 'effect, the most efficient reform possible 'in the navy would be at once effected.' He would read another passage, which appeared to him to contain as strong evidence of the existing abuses as any that could be adduced. It was a most unexceptionable statement, made by a gentleman many years connected with the Admiralty, and well acquainted with its practice. The hon. Baronet (Sir George Clerk) took an active part, last year, in a discussion relating to the appropriation of the votes of Parliament, and the practice which prevailed of making up the deficiency which occurred under different heads, in consequence of the sums voted for one purpose having been applied to another. The hon. Baronet on that occasion defended the practice, assigning as his reason for so doing what appeared the strongest evidence which could be adduced of the necessity of a change in the civil departments of the navy. The hon. Baronet said:—'The individual who brings 'forward the estimates is, I am well aware, 'responsible for their correctness; yet, 'when they have been once voted, the 'Admiralty has no control over the expenditure of those sums; they are issued 'by the Treasury on the requisition of the 'Navy and Victualling Boards; and it 'was not until very lately that the Admi'ralty had an opportunity of knowing how 'the money was expended; for even the 'books of the Navy Office would not show 'under what heads the money was laid 'out.' Certainly, the hon. Baronet did not by any means overstate the case in making that assertion, and in support of it he would state four or five instances of the mismanagement of the affairs of the navy since the year 1826. The statement he was about to make was founded on official documents, and he was perfectly satisfied of their accuracy. The Government thought it necessary to erect some works in the year 1826; the works were commenced, before an application was made to Parliament, at an estimated expense of 44,000*l.* and upwards. The estimate laid on the Table in 1827 amounted to 30,000*l.*, and the sum voted by Parliament was 8,000*l.* The next case was that of the Melville Hospital. No estimate was laid on the Table of the House till 1827. The estimate given by the Victualling Board to the Admiralty, was 35,027*l.*, the estimate laid on the Table of the House by the Admiralty was, 25,000*l.*, the sum expended was 61,655*l.*, and the whole of the sum voted by Parliament on account of that establishment was 7,000*l.* The next case related to the considerable outlay at Cremil Point. No estimate was presented to the House in this case. The estimate originally given in by the Victualling Board to the Admiralty amounted to 291,512*l.* The expenditure began in 1824; that was one year before an estimate was presented. The total expenditure until 1830 was 249,441*l.*, and the whole of the sum voted by Parliament between 1825, and 1826, and 1830, that is, from the commencement of the work until the period of his coming into office, was 74,000*l.* There was no general plan or estimate submitted to the Admiralty, or laid before Parliament. A sketch was made, but it was not drawn up in the regular form of a plan or estimate. No general vote was passed by the House—not one shilling more than he had stated was voted. Yet the work was all but completed, and an additional sum of 155,334*l.* had actually been paid. With regard to Weovil, there was an estimate submitted to the

House, but with regard to the works at Woolwich, which was the last case, there was no general plan or estimate submitted either to the Admiralty, or laid upon the Table of the House. Equal disparity was to be observed in this case between the sums voted by Parliament and the actual expenditure on the works. Including the bakehouse at Deptford, the sum expended from 1825 to 1830 for these works amounted to 835,400*l.*; while all that Parliament had voted was 270,000*l.*, leaving 565,400*l.* to be provided for from other sources. This surplus, it appeared, might be applied to any other purpose than that for which it had been voted, without the intervention of Parliament—a proceeding which was highly objectionable. The House would naturally imagine that all this could not have taken place without the authority of the Admiralty, that Board being responsible for the arrangements connected with the public services. When his present Majesty, then Duke of Clarence, presided at the Admiralty, he referred to a very salutary order made by Lord Sandwich in the year 1776, which made it imperative that not less than two years' consumption of timber in reserve should be provided for ship-building at the different naval establishments. The right hon. Gentleman (Mr. Croker) wrote to the Navy Board to make an inquiry upon this subject; and he held in his hand the answer to that inquiry. It was signed by the gallant Officer (Sir Byam Martin), and two other Commissioners of the Navy. That letter contained this passage. 'We beg to 'acquaint you, for the information of his 'Royal Highness the Duke of Clarence, 'that when the Comptroller of the Navy 'submitted the draft estimates to the Ad-'miralty, the sum required was stated at '180,000*l.* We also beg to inform you, 'that the excess of expenditure in 1826 and '1827, beyond the grants of Parliament, 'would make it indispensably necessary to 'refrain, as much as possible, from the pur-'chase of stores, chiefly timber, so as, under 'a limited grant, to obtain a sufficient sur-'plus to last up to the meeting of Parlia-'ment in 1829.' Having stated to the House the excess of outlay under the head of building, from the year 1826 to the year 1830, beyond the votes of Parliament, he would state to the House how that outlay was met during those four years. In the year 1827, the sum voted by Parliament for the purchase of timber and stores was 1,060,000*l.*, the sum expended was 876,000*l.*, leaving a balance of 184,000*l.* unaccounted for. In the year 1828, the sum expended less than that voted was 42,000*l.*; in 1829, it was 230,000*l.*; in 1830, 195,000*l.* Under the head of timber and of materials, there was expended in four years 1,029,000*l.* less than Parliament had voted. Out of that surplus the expense of the buildings was provided for He would next offer a few illustrations of the disobedience on the part of the subordinate boards to the directions of the Admiralty. Two regulations which, had they been strictly followed up, would have been found extremely useful, were introduced by the right hon. Baronet (Sir George Cockburn) when he was in the Admiralty. The first of those regulations had reference to the establishment of a check on the issue and receipt of public stores in the dock-yards; and it was supposed that, by keeping a ledger at each of the outports, and a counter-ledger at the Navy Board, no fraud could be committed as long as the two books corresponded in their items. A more judicious regulation, if carried into effect, could not have been devised; but it unfortunately happened, that, up to the present moment, it was impossible to obtain any information whatever from the ledger kept at the Navy Office. It was so much in arrear, that to attempt to complete it must be abandoned as hopeless. The other regulation had reference to the reduction of the number of labourers in the different dock-yards. It had been made by the Admiralty, and was signed by Lord Melville. The principle laid down in that regulation was most explicit, containing, at the same time, a positive direction that the number should be reduced. The instructions were, that no more men should be entered until the number was reduced to 6,000; and that when the number was reduced to 7,000, the men should be allowed to work on Wednesdays; and when to 6,000, on every day in the week. This regulation was introduced about a year before the late Government quitted office; and at that period, the number of men employed was 7,716; the number employed on the 31st of January last amounted to 7,493; so that, including what had taken place at Deptford, the reduction, in all that time, had not amounted to more than 200 men. He stated these facts to prove that there was an insufficient control on the part of the Board of Admiralty, and an imperfect obedience on the part of the other Boards. Another circumstance that he might mention was, the subtraction of the public property from the dock-yards, which, under the present system, it was impossible to prevent; in illustration of which he might state, that in the course of seven weeks five and a half tons of copper, with the King's mark, had found its way from Chatham to Birmingham, and the fraud had only been discovered by a mere accident. He felt that he had gone to some length in his statement of these abuses, but he hoped that the House would excuse him, because he had done it from the feeling that, as he was about to propose a great change, he was bound to show that there was ample reason for requiring that change. Another instance of the same abuse was, that although a very accurate account of the stores and labour consumed in the building of a ship was kept, it would be next to impossible to give a statement of the money cost of the vessel, which arose from there being what he might call a sort of cabalistic set of figures employed in the dock-yards as to the prices paid; besides which, the old war prices had, till within the last four months, been almost universally kept up—prices that were in many instances 25, 30, and 40 per cent above the present prices current. He would mention one or two instances in illustration of this fact, which appeared in the course of an inquiry held during the last three months. Up to the period of last November, lead, which was now contracted for at 14*s.* 6*d.* per cwt., was entered as costing 1*l.* 1*s.* 6*d.* Iron, which at the present price, was from 8*l.* 10*s.* to 9*l.* 14*s.* per ton, was charged at from 13*l.* 14*s.* 8*d.* to 13*l.* 19*s.* 1*d.*, and copper, the actual price of which, was 8*d.* per pound, was charged at 1*s.* 3*d.* The use of figures was generally introduced for the elucidation of a subject, but in this case it only led to confuse and entangle the question, so as to produce one complete tissue of delusion. He trusted that he had now shown that the present system was defective both in theory and practice, and that a remedy was highly desirable. The measure which he had to submit to the House, was a measure which might be exercised by the prerogative of the Crown, without the intervention of Parliament, for it chiefly depended on a recal of the patents of the Victualling and Navy Boards. There were, however, some minor points which would come within the province of Parliament, and he was, therefore, glad that an opportunity was thereby afforded of taking the sense of the Legislature on the subject, as it was far from his intention to counsel the revocation of those patents without the approbation of Parliament. What he intended to propose, subject to the consent of the House, was, the total abolition of the Navy and Victualling Boards, so that there should be but one Board for the management of the whole naval affairs of the country; by which arrangement every department—the building of ships, their repairs, the outlay for stores, the application to Parliament for money, the distribution of the money when voted, the necessary attention to the Appropriation Act—would all be under the control of one Board, which would be responsible to Parliament for the public service of the country. It might, perhaps, be said, that this multifarious business could not be brought within the compass of a single office. He would, however, contend, that, in principle, this objection was not well founded; and that that difficulty would be obviated by a judicious distribution of the labour of the different persons composing the Board. In this opinion he was fortified by the experience derived from the Board of Ordnance. That Board had been constructed on a new model with great care; that Board had been found to work well; and it might, therefore, be considered as the result of an experiment that had answered. What he proposed was, to divide the whole of the naval service into five great departments, with an officer at the head of each. The first of those officers would be the Surveyor General, whose duty would be pretty much the same as now. He would have to superintend the dock-yards—to look to the building of the ships—the care of ships in ordinary, and be responsible for their proper repair. The second would be the Accountant General. He would have to superintend the accounts of the Victualling and Navy Boards—accounts which, at the present time, were not kept on the same principle, the double-entry having been advantageously resorted to in the Navy Board—while the same practice in the Victualling Department had been prohibited by an order from the Board of Admiralty. This order, however, would be no longer continued; and he thought that, from the same system being adopted in every department, the Accountant General would be found competent to the whole of the labour. The third officer would be the Storekeeper General, whose duty would be very much the same as at present. He would have to see to the supply of the principal articles necessary for the consumption of the fleet. The fourth officer would be the Superintendant of the Victualling Department, whose duty would be very similar to that of the present Victualling Board, except that some of those duties would be transferred to the other departments. The fifth officer would be the Superintendant of the Medical Department, and of the Hospitals at home and abroad. These, then, were the five divisions under which he proposed to place all the business connected with the management of the civil affairs of the navy in all its branches. He should propose, that the officers at the head of those departments should not be commissioners, holding their situations by patent, and possessing co-ordinate authority with other Boards, even with the Commissioners of the Admiralty itself, as was the case at present; but that they should be appointed under warrants from the Board of Admiralty, and that they should retain their situations during the time they performed their duties properly. In his humble judgment, this was a much more efficacious plan than the present; since, if any change of Administration took place, it would not effect those individuals, who would remain in office while they conducted themselves in a satisfactory manner. The arrangement which he thus proposed would, he thought, be found superior even to the plan of the Board of Ordnance, because the chief officers connected with it were liable to be changed with the Administration, of the day. Thus, when they had acquired a competent knowledge of their duties, they might, by the change of Administration, be deprived of office, which would be handed over to others, who, perhaps, were wholly unacquainted with the business they would be called on to perform. Therefore it was, that he wished those five officers to hold their situations by warrant from the Admiralty during good behaviour. Instead of four Commissioners with the first lord, he proposed that there should be five Commissioners, one to preside over each of the departments he had enumerated. This system had all the advantage of the arrangement of the Board of Ordnance. It gave the regular cognizance of each department to its own proper head, while the whole would be brought under the consideration of the General Board, and every thing that demanded investigation would be decided before the Board, and the proceedings would be regularly noted by the Secretary. There would thus be a just division of labour, an undivided control, and a due responsibility, on the one hand, and, on the other, that unity and simplicity which he held to be the very essence and life of public business. It might be objected, that the effect of this plan would be to increase the number of placemen in that House. He recollected, when he sat on the other side of the House, that he and his friends fought a very hard battle, in order to reduce the number of Commissioners from six to four, and they succeeded. He now wished, for the reasons which he had stated, to have five officers, one at the head of each department, who, with the first Lord, would form six functionaries; it being provided, however, that no greater number should sit in Parliament than was the case at present. He might now, perhaps, without vanity, be allowed to state the number of officers that had been reduced last year, and the number which he would be able to reduce hereafter, if the House acceded to his proposition. The right hon. Gentleman opposite talked the other evening of the "gleanings" of the present Ministry. He would now give the right hon. Gentleman a specimen of those gleanings, and he hoped that the right hon. Gentleman would not impede the labour of the gleaners. In the course of last year, he had been able to reduce four Commissioners, producing a saving to the amount of 4,000*l.* a year; thirty-seven superior officers, which had effected a saving of 9,470*l.*; twenty-five inferior officers, a saving of 1,285*l.*; and eight clerks, a saving of 1,970*l.* If the plan that he was now proposing met with the approbation of the House, he should be able, in the next three months, to reduce five Commissioners, to the amount of 6,000*l.*; three Secretaries, 2,600*l.*; twenty-nine superior officers, 10,280*l.*; six inferior officers, 1,440*l.*; and fifty-four clerks, 11,950*l.* — making altogether a saving, under the head of Commissioners, of 10,000*l.*; of Secretaries, 2,600*l.*; of superior officers, 19,750*l.*; of inferior officers, 2,725*l.*; and of clerks, 13,920*l.*; forming a total saving, if his measure were acceded to, upon the civil establishment of the Navy (always keeping out of the account the Superannuation List, which was a perfectly distinct matter), of 49,059*l.* He should, according to his own judgment, imperfectly discharge his duty, after having dwelt so much upon the misappropriation, in defiance of Parliament, of money voted for particular service, if he did not propose to the House a plan to prevent it in future. He would not enter into all the details of that plan, but he thought he might venture to declare, that it would establish an efficient prospective remedy, to prevent that misapplication of the public money for other purposes than those for which it had been voted, some instances of which he had detailed to the House. From the manner in which the proposition of last night was received, he thought he could collect, that there was no unwillingness to accede to the proposal of making the financial year terminate on the 31st March, instead of the 31st December. From the nature of the naval service, a considerable length of time must elapse before the accounts could be transmitted home, from various parts of the world, and it was therefore difficult to audit the whole accounts of the sums drawn, and the payments up to any particular time. But there was no great difference between the transactions of the merchant and the statesmen; and the merchant closed his banker's book at the end of the year, although his own books might be kept open to complete his mercantile transactions. He proposed that the Admiralty should audit their Treasurer's accounts at the close of the financial year, and give the Treasurer an acquittance. The accounts themselves might be kept open till the 30th November, which would be adopting so much of the French system of accounts as appeared applicable to the naval service of this country. He was of opinion, that it would be highly injudicious to alter the mode of paying the fleet. Our system, in that respect, was different altogether from that of the French, which could not, therefore, be applied to our naval service. He proposed no change in that part of the system, which would go on as before. The banker's book would close on the 31st of March, and the other accounts might be kept open till the 30th of November, by which time, the greater part, if not all, of the vouchers would be remitted home. His next proposition was, that the Admiralty should, on the 30th of November, transmit to the Board of Audit, the Treasurer's accounts closed up to the 31st of March, and the accounts, together with all vouchers, should undergo an effectual audit, and that it should be the duty of the auditors, on the 31st January of each year, to lay on the Table of that House a report. That report would embrace a balance-sheet, comparing the expenditure with the Estimates; it would show what surplus remained unexpended, and what had been expended beyond the Estimates under each head. The auditors should also state any discoveries of improprieties they might have made, and submit any interrogatories which they might think ought to be put. Within the period of between the 30th of November and the 31st of January, it would not be possible to make a full and effectual audit, but it would be sufficient to enable Parliament, first, to convert what was now a nominal responsibility in the officer who brought forward the Estimates into a real responsibility. The interrogatories, secondly, would enable Members to ask questions, and the person who moved the Estimates would have to give answers to those questions, and explain the interrogatories of the auditors. He concluded that the hon. member for Middlesex would never allow the Estimates to be brought forward without having those interrogatories in his hands. But the great advantage, undoubtedly, would be, that it would convert a nominal into a real responsibility. He was not aware that he had anything further to add to this statement. The measure would make a large reduction in the number of public officers, and a large reduction in the public expenditure; it would diminish the number of placemen in that House, and produce a more effectual control over the expenditure of the public money; it would afford a means of ascertaining that a scrupulous adherence was observed of the appropriation made by Parliament: it redeemed all the pledges he had ever given when on the other side of the House, and acknowledged all the principles for which he and his friends had ever contended. Notwithstanding that, if he thought, in his conscience, that it was not calculated to benefit the public service, and to improve the efficiency of the British Navy, none of those considerations should induce him to bring it forward. But, entertaining an opinion that it would promote the public service, he was anxious that the House should allow him to bring in the Bill. The right hon. Baronet concluded by moving for leave to bring in "A Bill to amend the Laws relating to the business of the Civil Departments of the Navy, and to make other regulations for the more effectually carrying on the Duties of the same."

Sir *Byam Martin* said, he had heard the clear statement of the right hon. Baronet with satisfaction, but he did not believe that his plan would benefit the public service. It was easy enough to make a great alteration in theory, which in practice would be found not to be beneficial. The right hon. Baronet proposed to dissolve the Navy Board, and stated, as one of his reasons, that his late colleagues and himself (Sir Byam Martin) had not participated in the views of the Admiralty, but had thrown obstructions in its way. He would say, for himself and his colleagues, that any opposition he or they had ever offered to the Admiralty, was made in honest and open sincerity. He had, when propositions had been submitted to him, pointed out respectfully what he supposed would be their practical operation. He could appeal to the First Lord of the Admiralty to bear him out in his assertion. It had been his invariable rule, during the forty-six years he had been in the service, to state, when called upon, his opinion frankly and without reserve. He had very frequently said to the Admiralty, "You have come to a decision contrary to my opinion, but issue your orders, and I will carry them into execution with as much zeal and earnestness as if they were favourite projects of my own." He could conscientiously say, he had always acted up to that rule. The right hon. Baronet had again referred to what he called the irregularity of the precise sums which were voted for each particular department of the Navy not being applied for the exact purposes intended. But that was no new practice, introduced by the late Ministry: the custom had always existed, in the Naval Service, to appropriate the gross sums voted by the House to whatever services it was found most convenient to apply them. Of all the points mentioned by the right hon. Baronet, there was only one which he should notice, and that was connected with the works at Woolwich, which had exceeded the expenditure. That was the case, he allowed; but it was owing to the peculiar nature of the works. While the workmen were engaged in making the basin, the whole front of the sea wall threatened to fall in, and the people were obliged to work at it night and day to prevent it. That had caused a great additional expense. That made the Navy Board sanction from time to time the expenditure proposed by Mr. Rennie; but there had never been the slightest notion of concealment on the subject, and the Navy Board considered themselves perfectly justified, as long as the money was duly appropriated to the public service, although it might not have been voted for the exact purpose to which it was applied. The right hon. Baronet had stated candidly the cause of his removal from the Navy Office, and he thought he ought to feel gratified that he had been dismissed from the Navy Board, because, in the execution of his duty, he dared to speak his opinion to the First Lord of the Admiralty. While he was in office, he had never failed to speak when he thought the interest of the service required it. The right hon. Baronet charged the Navy Board with wilful and perverse disobedience; but a more unfounded assertion was never made in that House. The instance the right hon. Baronet had referred to, was the case of the Ledgers ordered to be kept at the Navy Office, as a counterpart of those kept at the dock-yards, as a check upon the receipt and expenditure of stores which the right hon. Baronet asserted had never been kept up. It was a new plan, which had been in existence only for one year, and it was not proposed to be continued, and was not very well understood. The right hon. Baronet had also referred to the non-discharge of labourers; but all he had to answer to that charge was, that every order given by the Admiralty had been executed: the right hon. Baronet, in his over zeal, had written an angry letter to the Navy Board, to know why it did not obey certain orders. The answer was, that they were never given. During the progress of the Bill, he should certainly move for papers to throw light on these proceedings, and that no doubts might be thrown on the fairness and justice of his statement. The right hon. Baronet complained of five tons of copper having been lost, without that loss being discovered; but ten tons might have been taken, without any discovery having been made. The right hon. Baronet said, that this arose because an account was not taken of the stores; but to do that frequently would cost several thousand pounds, and if done every year, would employ all the people in the dock-yards doing that alone. The right hon. Baronet said, that the price-book was not corrected since 1826; but that was the duty of the professional men; and, in general, the prices were regulated by the prices in the market. The right hon. Baronet had quoted from a pamphlet of his [Sir *James Graham* said, he had quoted the speech of the hon. Baronet]. He had, then, nothing further to say on that point. The right hon. Baronet, in pursuing economy, was, he was afraid, overlooking more important considerations. Who, he would like to know, would, in this new Board, take charge of the civil service of the Navy? He had always thought that the Comptroller of the Navy should have a seat at the Admiralty, but not be liable to be turned out when political changes took place, and should, therefore, see all the orders of the Admiralty executed. Who could now do that? Who would check the enormous expenditure? Was it to be done by the Accountant General? Was he to send down all bills to the Admiralty? Why, that would amount to 3,000,000*l.* or 4,000,000*l.* a year, and in war-time to 23,000,000*l.* or 24,000,000*l.*; and the messenger who had to bring back the bills signed from the Admiralty, might easily walk off with a large sum. There would be no security. He understood that the Surveyor of the Navy was to be continued, and why then was Sir Robert Seppings dismissed? He declared that he had never, in the whole course of his life, met with so diligent, so faithful, so honest a public servant. He was a most respectable man, who had laboured in the public service for fifty years without thinking of his own concerns, and yet he was dismissed. That required explanation. Sir Robert Seppings was one of the most efficient men that ever was in his situation, and in his place they were going, probably, to put in some fanciful builder. His mode of putting ships together was most useful, and its excellence was proved, by every nation having adopted it. He knew that some people had most unworthily tried to raise prejudices against Sir Robert Seppings, but his name would be remembered with honour when those of his traducers would have sunk into contempt and oblivion. As long as a ship floated on the ocean, Sir Robert Seppings would be respected. There were other officers who, out of very moderate incomes, supported families respectably, who were looking with fear and trembling at the right hon. Baronet's plans, and prayed for a speedy decision. He had only made a few observations, but there were a multitude of questions which must be discussed while the Bill was in progress. When the Bill was sufficiently matured to be brought in, he would give it an impartial and unprejudiced consideration. As far as it was calculated to benefit the public service, he would support it; but if he thought it likely to be injurious, he would give it a most decided opposition.

Sir *George Cockburn* said, he must apologize to his hon. and gallant friend (Sir Byam Martin) for not having risen immediately after the right hon. Baronet, the First Lord of the Admiralty, had concluded his speech, to declare his conviction that the right hon. Baronet had borne hardly and unfairly upon his hon. and gallant friend, and the members of the subordinate Boards in general. He had had a seat at the Admiralty for twelve years, and had frequently thought some change in the civil administration of the Navy must ultimately take place. He was ready to admit that the Admiralty had not always found the Navy Board ready to act as the Admiralty wished. But he had before stated, and he was bound to repeat, that he believed the opposition of the Navy Board was always well intended, and was, in many cases, extremely valuable. It was natural for every man to be zealous, perhaps too zealous, and that he believed was his own case, in making what he considered improvements, particularly on first entering into office: but the Navy Board, which he might call the Board of Detail, being composed of men who had risen principally from the various departments in the service, was generally opposed to any sweeping change, come from whatever quarter it might; and it had, he believed, by that part of its constitution, prevented a great deal of mischief. It prevented other people going too fast; and was, on the whole, he thought, very beneficial. It was a most valuable drag-chain on those who were in too much haste; at the same time, he had never known the Navy Board make any opposition to orders when they were given. With respect to the buildings at Weovil, he must state, that, when the Lord High Admiral was at Portsmouth, he had remarked how inconvenient it was to have the various Victualling Departments scattered about in different places. He had inquired what would be the expense of making one complete establishment at Weovil, where a part of the business was carried on; and, understanding that the price received for the old buildings, which were situated in the streets of Portsmouth, would pay for new ones to be built at Weovil, which was on the other side of the water, they were ordered to be built. It turned out, however, that part of the old victualling buildings were taken as barracks, and did not net so much money as was expected. Parliament was not then sitting; but after Parliament had met—in 1827, he believed—he was asked by his gallant friend (Sir Joseph Yorke) a question on the subject. He had then stated all the circumstances of the case, which met no disapprobation from the House, and on which no deception had been practised. With reference to the alteration proposed by the right hon. Baronet, it struck him that it would destroy the responsibility which now belonged to the heads of the different departments. It was of vast importance to have responsible officers, and in that this measure would fail. The right hon. Baronet had compared his plan to that for the regulation of the Ordnance, but in that, the head of each department was responsible for his department; but in the proposed plan, the subordinate officers in the civil departments of the Navy would remain in their offices throughout all political changes, and, consequently, they would have the whole correspondence, and would, in fact, be the managing persons, without the responsibility. On them the Admiralty must rely, particularly the members of that Board on first entering into office, several of whom might be ignorant of the nature of naval management. On this account, he thought the heads of the various departments had better be formed into a subordinate and separate Board, having the responsibility, but being liable to the general directions of the Admiralty. If the right hon. Baronet carried his plan, in that respect, into execution, he (Sir G. Cockburn) was convinced, that in three years, or even in one year, it would be found not to work well. However, when the Bill came under the consideration of the House, he pledged himself to give it all the attention in his power.

Sir *Thomas Troubridge* said, that every thing stated by the two last hon. speakers strongly corroborated all that had been so ably urged by the First Lord of the Admiralty. It was well known that a jealousy had occasionally subsisted between the Navy and Admiralty Boards, and that their difference of opinion had been most injurious to the interest of the naval service on a variety of occasions: on this subject, he would produce better authority than his own, in a letter of advice written by Lord Rodney to Lord Chatham when First Lord of the Admiralty, to which he begged leave to call the particular attention of the House. Lord Rodney said, 'Above all things keep up the dignity of 'the Board, and never suffer inferior 'Boards to obtrude any point whatsoever, 'which they will always attempt to do, 'and are ever ready to remonstrate in'stead of obeying, but never suffer any 'admiral or captain to dare to remonstrate 'against, or disobey the orders of the 'Lord High Admiral. The Navy Board, 'in particular, have ever been ambitious 'of rendering themselves an independ'ent Board; they have not yet carried 'their point, and I hope never will. The 'Board of Admiralty are responsible for 'the state of the navy, and are liable and 'amenable for their conduct to Parlia'ment; of course all subordinate Boards 'should be under their control, and obey 'their commands—make them lay all the 'contracts for their stores and their ac'counts before the Board of Admiralty 'once or twice in the year, together with 'an account of the condition of every 'vessel belonging to the State, and parti'cularly mark the class of ship which is 'in every port. The Board of Admiralty 'then will always have it in their power 'to know in what manner the Navy Board 'make their appointments—my meaning 'for this suggestion is, that the Navy 'Board, from favour, or the Surveyor of 'the Navy, through partiality, recom'mends a ship belonging to some friend 'of theirs, or some ship which they have 'constructed, in preference to all others, 'never suffer any dictation, but keep all 'the patronage to the Admiralty; all the 'officers of every rank would then look 'up to it.' He now came to a very serious part of the letter, to which he begged the attention of all parties. Lord Rodney went on to say, ' For God's sake never ' suffer your mind to be prejudiced against ' any officer, and be ever on your guard ' against any one who attempts to traduce ' a brother officer.' Many parts of this letter, he thought, fully corroborated what had been said by the First Lord of the Admiralty. At all events it shewed what were the opinions entertained by officers of high rank and great experience. He could further corroborate this opinion, by the testimony of his own immediate ancestor, who had sat some time as a member of the Admiralty during the administration of the late Earl of St. Vincent. He hoped, therefore, that party spirit would not be allowed to have any influence upon the decisions of hon. Members with respect to this Bill, and he trusted that the experience and talents of those who had been in office, would be brought to the aid of the proposed alteration; which in his conscience he deemed pregnant with good to the British nation in improving the administration of the British Navy, of which he had the honour to be a humble member. He could not on this occasion avoid paying the tribute of his gratitude to his Majesty's Government for introducing this measure, and also for the reduction in the amount of the Estimates now lying on the Table, which he looked upon as the best security that Government meant strictly to fulfil the pledges of economy which they had made on their acceptance of office. The noble Earl at the head of the Government, in himself a model of consistency as to his public conduct, aided as he was in the other House by Lord Brougham, and supported as he was in this House by high talent, could not, he thought, fail in rendering his country great and permanent service.

Sir *George Clerk* perfectly concurred in the hope expressed by the hon. and gallant Gentleman who had just sat down, that every hon. Member who entered into the consideration of this subject would divest himself of all prejudices or party feelings; and he was therefore surprised that after expressing that hope the hon. and gallant Member had ended his speech by eulogising one party in that House. He would not, however, follow the hon. and gallant Member's example; but would confine himself to making a few observations on what had fallen from the right hon. Baronet at the head of the Admiralty. He felt some difficulty in expressing a decided opinion on a plan so extensive, particularly on a first view of it, as detailed by its author to the House. He could assure the right hon. Baronet that he was most ready to assist in promoting any part of the plan which might appear likely to be beneficial to the public; but it appeared to him, from the imperfect conception he had formed, after hearing the statement of the right hon. Baronet, that there were parts of his plan which would aggravate the evils the right hon. Baronet complained of; and that there were other parts of it which he apprehended would be found wholly impracticable. The right hon. Baronet laid down as the ground-work on which he proposed to build his improved system, that the Admiralty, being the superior Board, was frequently thwarted by the other Boards, which ought to be strictly subordinate to the Admiralty, and that the result was exceedingly injurious to the public service. He altogether differed from the right hon. Baronet in that view. It was the duty of the Navy Board to point out any practical difficulty in the way of executing the plans of the Admiralty; and it was the duty of the Admiralty to modify their plans when that difficulty was satisfactorily proved to exist. In fact it did frequently happen, that the suggestions, and even remonstrances of the Navy Board, led the Admiralty to make improvements in its projects. It was the bounden duty of all persons connected with the public service, to give their opinions openly but respectfully, and he therefore regretted that the right hon. Baronet had not found amongst those under his command some man of independent mind like his hon. friend (Sir Byam Martin) to point out to him the practical evils of many parts of his proposed plan, which must be evident, he thought, to any man of experience, even on a cursory view of it. The right hon. Baronet had stated, that there had been a want of sufficient control by the Admiralty over the other departments, and especially over the expenditure of the Navy Board, and that there had been in several instances an excess of expenditure in that department above the Estimates submitted to that House. Part of that excess arose in the Victualling-Office. It had been his duty on a former occasion, to explain that circumstance, and he begged now again to repeat the explanation. During the four years subsequent to 1825, there was a great reduction in the price of provisions, and a surplus of the money voted for that purpose, the Estimates having been calculated on the prices of provisions during the former years, remained on hand. At that time several works of importance were in progress, the expense of which had been spread over a number of years, for the purpose of not pressing too much on the resources of the country; but with a surplus on hand from the other grants, it became expedient, and in fact, economical, to employ that surplus in carrying on those works more rapidly than was at first contemplated. Up to a late period of the war, the Navy Estimates were voted in one sum, and the Appropriation Act did not apply to them. He was not prepared to say, that if each of the departments could be confined to a sum specified by Parliament, it would not be a great improvement. The right hon. Baronet said he would try that experiment. He did try it last year, and the account on the Table shewed that the plan had not been practicable. The principal charge however, against the administration of the Navy, was, that nearly 1,000,000*l.* less than the sum voted for stores in the four years, 1825, 1826, 1827, and 1828, had been laid out. It might be presumed, in consequence, that the naval arsenals were insufficiently supplied. Acting under this impression, the right hon. Baronet himself took a vote for stores, to the amount of 800,000*l.* But in the course of last year, having had an opportunity of inspecting the dock-yards, he found that there was no deficiency, and he had accordingly proposed a much less vote this year. He begged leave to state how the surplus money was disposed of. During the years 1825, 1826, 1827, and 1828, when the public service required ships to be sent to the Tagus and to the Mediterranean, the Admiralty was obliged to increase the number of seamen beyond what had been voted; and was forced by circumstances over which they had no control, to employ that increased number much longer than was expected. The House must be aware that, by Act of Parliament, the Treasurer of the Navy was bound, in the first place, to pay seamen's wages out of any monies in his hands, without reference to the Appropriation Act; and if the right hon. Baronet would look to that circumstance, he would find that the sum paid on that account, would very nearly exhaust the sum which was allowed but not expended on stores. During the three years, 1826, 1827, and 1828, there had been an actual saving upon the sum voted by Parliament for the Naval Department, of above 1,000,000*l.*, which the right hon. Baronet found in the Exchequer, and with which he was carrying on the naval service for the present quarter. The right hon. Baronet had also charged the Navy Board with not having carried into effect the orders of the Admiralty, for the reduction of the workmen in the dock-yards. The order of November, 1829, for the discharge of artificers was not obeyed, on account of the extreme distress which prevailed at that time throughout the country. It was stated, that the greatest possible hardships would arise, if so many men were discharged at that particular moment; the men were therefore retained, but at a great reduction in the previous amount of their wages. The right hon. Baronet must recollect, that when he came into office, so far from finding an excess in the number of workmen employed in the yards, that it became necessary for him to order that these workmen should work six days instead of five; therefore it did not become the right hon. Baronet to find fault with the Navy Board for having made that arrangement. Another subject alluded to by the right hon. Baronet, as a defect in the present system, was the want of a sufficient check upon the expenditure of the stores in the dock-yards,—as an illustration of which he adduced the fact of the abstraction of a quantity of copper which had not been missed; but when it was considered, that extreme labour, time, and expense, were necessary to make frequent surveys of the stock remaining in hand, it would not be surprising that a quantity of copper should have been purloined from the yard at Chatham, without that fact having been known till an intimation to the Navy Board was given by an anonymous letter from Birmingham. The persons were then detected, brought to trial, and convicted; and a change had been made in the watchmen over the yard, which would make it impossible for any article to be stolen again. The right hon. Baronet had also stated, that the three Boards were appointed in a similar manner by patents under the Great Seal. But until the right hon. Baronet had affirmed it, he had never before heard that the authority of these Boards was considered co-equal. The hon. and gallant officer (Sir Thomas Troubridge) had remarked, that thirty years ago, when a relative of his was in the Admiralty Department, there were similar complaints made against the Navy Board; and the hon. and gallant Officer had read a letter of advice written by Lord Rodney, which he seemed to consider extremely applicable to the right hon. Baronet (Sir James Graham). He had no doubt that the right hon. Baronet would be extremely happy to adopt the advice contained in that letter, but he was afraid, the power he appeared so desirous to obtain, would be found infinitely greater than he and his colleagues at the Admiralty would be able to manage, and a great deal of efficient control over the expenditure of the Navy would therefore devolve upon persons who, by the proposed arrangement, would be without any personal responsibility whatever. The right hon. Baronet had stated that it was not intended that the new offices created by his plan should be considered political offices, whereas the persons who hold the higher ones would be subject to ministerial changes; the consequence would be, that these persons, during the first two or three years of their being in office, must depend upon the recommendation of the persons who filled the situations of secretaries and chief clerks. The persons filling these higher situations, would no doubt be of the greatest integrity and ability; but would it be possible for the Admiralty, unless it had persons under the Board really acquainted with the details of office, to perform their duties efficiently? The real responsibility would be thrown upon persons obliged to act under the dictation and advice of those to whom no responsibility attached. With respect to the union of offices, the first step ought to have been, to have tried the effect of uniting the Navy and the Victualling Boards, still retaining the five officers as at present, because it appeared to him that in no one part of the plan of the right hon. Baronet, had he made any provision whatever with regard to the immense correspondence which would fall upon the Admiralty, on the extinction of the subordinate Boards. The right hon. Baronet had stated, that all correspondence, and all questions relating to expenditure, and all propositions of importance, were intended to be discussed openly at the Admiralty Board. If that Board attempted to take upon itself these duties, and to conduct all the correspondence, neither the Lords of the Admiralty, nor the Secretary of that Board, would be able, for one week, to carry on the business of the office. He was surprised the right hon. Baronet had not entered into some of those important details. The right hon. Baronet appeared to have a very inaccurate idea of the nature and extent of the duties performed by the Navy Board; he would say perhaps, that he would destroy the correspondence between the three Boards; but that would make a very small reduction upon the total amount of the correspondence carried on by the Navy Board with all the dock-yards in the kingdom, with officers fitting out ships with contractors, and with various other parties. Naval officers very frequently complained of the Navy Board, on account of its strict adherence to regulations which frequently compelled it to refuse what appeared to the officers, reasonable requests. When an officer had got a ship to fit out, he was naturally anxious to obtain many extra articles beyond the proper establishment; and then it very often became a very troublesome part of the duty of the Navy Board to refuse its assent, which excited unpleasant feelings between the parties; and he had no doubt that some such feeling occasioned that excellent quarter-deck law, for strict subordination, laid down by Lord Rodney. He wished to ask the right hon. Baronet, what power the Surveyor-General, the Accountant-General, the Storekeeper, and the chief medical officer were to enjoy? Were those officers to have any power to give orders of their own authority. The right hon. Baronet intimated that an Act of Parliament could not limit these matters. He agreed with the right hon. Baronet; the only way in which those things could be satisfactorily discussed, would be, a Committee to inquire into the various details; and as the right hon. Baronet had said that the labours of the Finance Committee had been arrested just at that point, that was an argument why a Committee should now be appointed; and certainly a measure of such magnitude, and of such immense importance, as that of altering the whole administration of the navy, which had existed from the time a navy was first formed, was one which he thought Parliament should not sanction without being fully satisfied of the practicability of the plan proposed. The right hon. Baronet had stated, that in the whole of these arrangements no new appointment was to be made by him, except another Lord of the Admiralty. He was glad to hear it, because reports were in circulation, that it was intended to dismiss Sir Robert Seppings. He regretted that a person, whose great services had been recognized by a vote of this House on a recommendation from the Finance Committee of 1819, and whose fame was not confined to this country, but was spread all over Europe, should be dismissed from the service of his Majesty. There was no country that had a navy which had not adopted his plans; and he felt no less surprise than sorrow to learn that it was the intention of the right hon. Baronet to discharge so meritorious an officer, who was still as capable of carrying on his duties as any person in his Majesty's navy. The right hon. Baronet had stated that another part of his plan related to the auditing of accounts. That he approved of, for according to the present system, there was no such thing as any efficient audit of the naval accounts —it was a mere matter of form; but he saw no advantage to be derived from making the accounts up to the 31st of March and the books up to the 30th of November. He begged leave to ask the right hon. Baronet, if any material error should be discovered in the accounts, or any expenditure above the estimates authorized by the vote of this House, should take place, who was to be responsible for the irregularity—the Board of Admiralty, the Accountant-General, or the officers of the Navy-office? Here was matter of audit, and who was to be answerable for the deficiency? If it was the Board of Admiralty, that would be making it a Board of Account, or nobody would be responsible for any errors which might arise. If it was intended that the Board which gave the orders was not to be accountable, and the Accountant General was not to be so, according to the right hon. Baronet's own statement, but to be strictly a subordinate officer, the right hon. Baronet, in fact, exempted his superiors from all responsibility. There were many further details, which he would pass over at present, but he must observe, that unless some concentration of the business took place, if the new plan was attempted, it would most assuredly fail. If the higher departments were conducted at Charing-Cross, and the details at Somerset House, the most important documents would be obliged to be carried through the streets upon all occasions, and much time must be necessarily lost in communication. In conclusion, he begged leave to state, that if there had been formerly a complicated and inconvenient manner employed in keeping the naval accounts, that difficulty had been removed by the improved system of double entry brought into use by Mr. D. Thompson, the present Accountant General. Further improvements, he admitted, might be made, and a better audit established. He had no intention of opposing the Motion for bringing in the Bill, but he must set down by declaring, that he feared the result of the right hon. Baronet's plan would be, to create confusion and embarrassment in the naval administration of the country.

Captain *Yorke* said, he feared one Board would never be able to get through the complicated business connected with the civil administration of the navy. He knew the duties of the subordinate Boards were at times very severe; and as to the greater certainty of the amount of the different estimates being applied for the specific purposes intended, he doubted if the new plan could have that effect, where so much depended on the cost of the articles to be provided, and the necessity of more or less repair which ships might require during the year. With respect to Sir Robert Seppings, he was undoubtedly a man of the highest attainments in his profession, and had effected great improvements in ship building, as was acknowledged by the officers of all foreign navies with whom he (Captain Yorke) had come in contact. As to the gentleman who, it was rumoured, was to be appointed his successor (Captain Symonds) he had the pleasure of his acquaintance, and knew him to be an excellent officer, and a man of great ingenuity and science, and he had built some small vessels, which answered very well, but he was a great experimenter, and it was doubtful whether his plans would succeed when applied to large ships of war, which required other qualities besides being fast sailers. With all the detail of ship-building and of workmanship he was necessarily unacquainted, as he had not been brought up to the profession of a shipwright.

Sir *Robert Peel* said, that he should be better able to appreciate the reductions proposed by his Majesty's Government in the Naval Department, after they should have carried on the business of that Department with the reduced establishment for some time. But he was bound to say, that the reductions appeared to him to be very extensive, and of such a nature that, if they could be carried into effect without injury to the public service, the right hon. Baronet would be entitled to the thanks of the House and the country. But there was one part of the reductions to which he hoped the right hon. Baronet had not pledged himself, as he thought that it could not be carried into effect. It was at variance with the principles upon which his system of reduction appeared to be founded. Those principles were two-fold; first, that the heads of the several public departments should be responsible for the officers employed under them. Secondly, that they should have an entire control over those officers. Now, he thought that they neither could be held responsible, nor exercise a sufficient control, if the officers held their places by warrant, *quamdiu se bene gesserint*, that was to say, that they would not be revocable by a new Administration, or by the Board of Admiralty, when it pleased.

Sir *James Graham* said, that the right hon. Baronet quite misunderstood him, and that he never intended to convey such a meaning in what he had said, and that he had not used the expression *quamdiu se bene gesserint*.

Sir *Robert Peel* thought that there should be an uncontrolled authority in the Board to remove the persons employed under it. They ought to be placed, as regarded their removal, precisely on the same footing with Under Secretaries of State. There were many ways in which an officer might so conduct himself as to render it imperative upon the head of his department to remove him, although he should not have done anything which could be directly charged as misconduct. Besides, no Administration ought to have the power of precluding any other which might succeed them from appointing to those offices persons in whom they might have confidence.

Captain *Berkeley* thought that the consolidation of the Navy Board with the Admiralty would be a great boon to all persons connected with the naval service of the country, and that improvements in ship-building would be the result.

Mr. *Hume* expressed his satisfaction with the alterations proposed by the right hon. Baronet. He thought that if the reductions could be carried into effect without the naval service being impaired in efficiency, that right hon. Gentleman would deserve the thanks of the country, and the support of the House. He was fully convinced, although there might be some doubt about the minor details, that the proposed arrangements, from their simplicity, would be found both more economical and efficient than the present complicated system, many parts of which he verily believed, were only created for the purpose of making work for the others.

Mr. *Croker* said, that he would not, at that late hour, occupy the House by refuting the observations of the right hon. Baronet, in reference to the late Administration, inasmuch as many Gentlemen who had heard the attack were not now present to hear the defence. But he was bound, in fairness to the right hon. Baronet, to give him credit for the goodness of his intentions, at the same time that he was compelled to deny his facts, and to dispute his reasoning. He should, however, reserve his arguments for a more fitting occasion.

Sir *James Graham* said, that whenever the right hon. Gentleman should think proper to grapple with his statement, he would do his best to defend it. With regard to the officers alluded to by the right hon. Baronet (Sir Robert Peel) their appointments would be held by warrant, and not by patent; and, of course, on a change of Government, they would be removable, if such should be the pleasure of the new Lords of the Admiralty. In fact, his plan placed them precisely on the same footing, in that respect, as the Under Secretaries of State.

Leave given, Bill brought in, and read a first time.

HOUSE OF COMMONS,

Wednesday, February 15, 1832.

MINUTES.] Bills. Brought in and read a first time; for Regulating the Service of Writs issuing from the Superior Courts in Ireland. Read a second time; Master of Rolls (Ireland). Read a third time and passed; the Cholera Morbus Prevention.

Returns ordered. On the Motion of Mr. SPRING RICE, of the Amount of the Annual Gross Receipts, Disbursements, and Nett Balance of the Derwent-water Estates, from the year 1787, to the latest period the same can be made out:—On the Motion of Mr. HUME, of the Number of Barracks in the United Kingdom now fit for the reception of Troops, stating the place where situated, and the Number of Men each Barrack will contain, distinguishing whether for Cavalry, Artillery, Infantry, or Marines, Petitions presented. Against the General Registry Bill. By Mr. **Strutt**, from the Freeholders of Derby By Captain **Yorke**, from the Owners of Real Property within the East and West Wards of the County of Westmoreland. By Mr. **Strutt**, from Owners of Mills worked by Water, and Lace Manufacturers, against certain parts of the Bill for Regulating the Work Hours of Children, and praying that it may be referred to a Select Committee:—By Mr. **Henry Grattan**, from the Guild of Weavers in Galway, complaining of being excluded from their freedom by the bye-laws of the Corporation; and from the Inhabitants of Granard, for the Abolition of Tithes:—By Mr. **Hunt**, from the Members of the National Union at Winchester, against the Stamps on Newspapers:—By Mr. **More O'Ferrall**, from the Trustees and Managers of the Ballynure Savings Banks, for the Amendment of Act 9 George 4th, Cap. 92:—By Mr. **Shaw**, from the Corporation of Drogheda, against the Irish Reform Bill.

Anatomy Bill.] Mr. *Hunt* presented a Petition from certain inhabitants of Blackburn, in Lancashire, praying that the House would not pass what the petitioners called the Dead Body Bill, but what the House called the Anatomy Bill. The petitioners complained of the power given to the governors of workhouses to sell the bodies of the persons who died in those houses; thus making a distinction between the rich and the poor; they prayed that graves might be protected from violation, that means should be adopted to guard against murder for the purposes of dissection, and that professional men should be compelled to account for bodies in their possession. The hon. Member said, that he perfectly agreed in the abhorrence which the petitioners entertained of the proposition for legalizing the sale of dead bodies.

Mr. *O'Connell* said, that he had a copy of the petition sent him, with a request that he would support it; but the fact was, that the petition was founded upon a mistake. There was no clause in the Bill empowering the governors of workhouses to sell the bodies of the persons who died in those houses; there was no distinction made by the Bill between the rich and the poor. Indeed he thought the effect of it would be for the advantage of the latter. They were more interested than any other class of persons, that surgeons in general should have the power of obtaining a scientific education cheaply, and they could not obtain the necessary knowledge without every facility being afforded them of examining the structure of the human body.

Mr. *Hume* said, that the petition had been sent to him to present, upon which he had written to the petitioners to inform them that they were altogether mistaken upon the subject. They prayed the House to take measures to prevent the disgraceful practice of plundering graves. Why, that was done by the Bill. They prayed the House to take measures to prevent murder with a view of selling the corpse for dissection. Why that was done by the Bill. They prayed the House to take measures to make the professors of Anatomy or Surgery answerable with respect to the bodies which might be found in their possession. That was done by the Bill. The three objects which the petitioners especially prayed for were also the objects of the Bill. He was quite sure that the Bill was calculated to effect as much good as it was possible to effect on the subject; and he called on the hon. member for Preston, if he supported the prayer of the petition, to support the Bill also, which embodied the prayers of the petitioners.

Mr. *Hunt* allowed that the Bill professed all the objects described by the hon. member for Middlesex: but would it carry those objects into effect? The Game Bill of last year professed to put an end to poaching. Had it done so? He had last year predicted what would be the result of the Game Bill; he now said the same thing of the Bill under consideration. What could be said in favour of a Bill which gave to a father the power of selling the dead body of a child—which gave to a husband the power of selling the dead body of a wife—which subjected those bodies to the grossest indecencies? [Mr. O'Connell observed, that the chance of such indecencies committed upon a corpse was better than the temptation to murder in the present system.] He did not envy the feelings of the man who looked at the subject with so much indifference. It was quite clear that the Bill gave to persons the power which he had described. None but the poor would avail themselves of that power; and, therefore, the Bill made a distinction between the poor and the rich. The petitioners laboured under no mistake, and he hoped that the House would attend to their prayer.

Mr. *O'Connell* repeated, that it was much better to risk the chance of some indecencies being committed with respect to dead subjects, than to risk the chance of the living being converted into dead subjects by the atrocious practice of Burking. He hoped that somebody would dissect him when he was dead. He had endeavoured to be useful while he lived; and he should wish to be so after death. There was no such power in the Bill as that stated by the petitioners.

The petition to lie on the Table.

Mr. *Hunt*, in moving that the petition

be printed, said, that he differed from the hon. and learned Gentleman, with respect to the question of indecencies offered to the dead. He contended, that the petitioners were under no delusion with regard to the provisions of the Bill. There was a clause in it which gave power to all persons having legal possession of the bodies of persons who died while in their custody, to sell such bodies, and he apprehended that was quite sufficient to prove that the petitioners had correctly understood the Bill.

Petition to be printed.

Militia.] Mr. *Hunt* presented a Petition from a journeyman cabinet maker, of the name of William Lovatt; stating that having, by industry and abstinence, been enabled to maintain himself and his wife in tolerable comfort, he was suddenly drawn for a militia-man. To serve in his own person would have been utterly ruinous, he had not the means of providing a substitute, and moreover he conceived, that having no share in making the law, he was not bound to undergo its infliction. The consequence of his refusal was, that his goods were sold; and that furniture of the value of 40*l.* was disposed of to pay a fine of 15*l.* The petitioner's chief complaint, however, was, that his effects were sold privately; and that he and his friends had no notice of the sale, and therefore no means of diminishing its ruinous effect.

Mr. *Hume* said, that he had been requested to support the prayer of the petition, and he did so with great readiness. He hoped that it would draw the attention of the House to the present state of the Militia laws. It was notorious that of the persons ballotted in the metropolis, not one in ten was able to serve. It, therefore, became a tax on a poor honest man, which, in many cases, effected his ruin. The rich ought to be called upon to pay this tax, in proportion to their property. This was one of those individual cases of oppression, which made persons who witnessed it complain of the unequal pressure of the laws, and which had the effect of making men dissatisfied with the institutions under which they lived. The towns were in a very different situation from the agricultural population in a matter of this kind. An inhabitant of an agricultural district could leave home for a short time to attend the meeting of the Militia, without inconvenience; but the artizan who resided in a town could not do so. He hoped his Majesty's Government would consider the subject. Many cases of great hardship had come to his knowledge, and for those cases there was no remedy.

Petition to be printed.

County of Cambridge.] Captain *Yorke* presented a Petition, signed by 1,400 most respectable freeholders and occupiers of land in the county of Cambridge, against the Reform Bill. The petitioners stated, that they viewed some of the provisions of that Bill with feelings of alarm, particularly the arbitrary standard which had been fixed on in reference to the new constituency, which they considered was opposed to all principles of sound policy and impartial justice. They complained that the 10*l.* qualification would place the chief power of returning Members in the hands of a class of persons who were not likely to exercise that privilege freely or dispassionately. They expressed great fears that allowing freeholders of towns to interfere with county elections would go far to give them an undue preponderance, and raise the commercial and manufacturing interest, to the depression of the agricultural. The petitioners further stated, that the effect of the Bill would be, to convert the House of Commons into an assembly of delegates, who would be wholly influenced by popular clamour. They were anxious for the correction of every acknowledged abuse, but they deprecated the extensive changes contemplated by the Bill, as dangerous to the welfare of the established institutions of the country. They, therefore, on these grounds, prayed the House not to pass such a dangerous measure. In reference to a part of this petition he begged leave to state, that, during his late canvass in Cambridgeshire, he had not met with a single freeholder who did not object to the 10*l.* clause. However anxious the freeholders might otherwise be to see most of the other principles of the Bill carried into execution, they all disliked this clause. Another circumstance connected with the part of the subject was, and he mentioned it as a curious fact, that two petitions, both to the same effect, addressed—the one to the House of Lords, the other to the House of Commons—had been lying for some time for signatures in the county of Cambridge. The petition to the House of Lords received the most signatures; and when those who signed it were asked why they did not also sign the petition to the House of Commons, they answered, that it was idle to petition a House so elected;

a body of mere delegates, who went to the House to perform certain acts prescribed to them by others, and not to exercise their own judgment as became independent men.

Mr. *Adeane* observed, that his hon. and gallant friend had said that many freeholders in Cambridgeshire declined signing the petition to the House of Commons, because they considered that House as merely an assembly of delegates. He begged to remark, that that description did not apply to the humble individual who was then addressing the House. He would spurn at the notion of being the mere delegate of his constituents. He was a free and independent Member of Parliament; and he hoped his conduct had justified this assumption. As to the opinion of the county of Cambridge at large on the subject of Parliamentary Reform, he was not aware that any change had taken place in that opinion since his hon. and gallant friend had had an opportunity of so unequivocally ascertaining it. He believed that the great majority of the freeholders of that county were as anxious as ever to witness the destruction of boroughmongering, and the distribution of the elective franchise among the populous places justly entitled to the privilege; and also that they were desirous of a large addition to the constituency of the country.

Petition ordered to lie on the Table.

Captain *Yorke*, in moving that the Petition be printed, begged to be allowed to make a few remarks on what had fallen from his hon. friend. Into those remarks he was forced by the boast made by his hon. friend of his extraordinary independence. A circumstance occurred, however, before the last election, which rather showed a disposition on the part of his hon. friend not to be so perfectly independent. Having been summoned by his constituents, his hon. friend, when called on to state whether or not he liked the Reform Bill, answered that he did not like it much. He was then desired to take it and read it again; after which he said he liked it better. Once more he was required to peruse the Bill; and then his hon. friend declared that he liked it still better, and that he was for the Bill, the whole Bill, and nothing but the Bill. Nevertheless, he (Captain Yorke) had seen his hon. friend, on one or two occasions, vote against this declaration; and he knew that his hon. friend did not stand so well with his constituents in Cambridgeshire as formerly. As to his hon. friend's statement, that he (Captain Yorke) had seen a decided instance of the determination of the people of Cambridgeshire to support Reform, he appealed to any one, whether, going down as he did, only ten days before the election, to oppose a gentleman of high character and liberal principles, who, by himself or by his friends, had been canvassing the county for three months, his chance of success was good; or whether his want of success afforded a decided proof of the opinion of the county.

Mr. *Adeane* had been attacked so personally by his hon and gallant friend, that he was sure the House would allow him a few words in reply. In the first place, he must say, that the hon. and gallant officer had made a statement respecting him which was altogether incorrect; but as the hon. and gallant officer was abroad at the period alluded to, upon those who had misrepresented the facts must the blame of this incorrectness rest. With respect to his (Mr. Adeane's) having been summoned down to Cambridge, the fact was, that a county meeting was to be held, and he did what he should ever do so long as he was the county representative—he attended there. There were many opinions as to his conduct in Parliament on account of something he had said upon a petition. He went to the meeting, and asked what charge there was against him, and he then told the assembled county that he was not to be dictated to—that he should ever act consistently with his public principles; but that if they wished to subject him to dictation, they must find some other Representative. It was then proposed that he should not be joined with his noble colleague (Lord Francis Osborne) in presenting the petition, and that proposition was rejected. When that point was settled, he then came forward, and did say, that the more he looked at the Reform Bill, the better pleased he was with it. He was sorry to be obliged to intrude personal matter upon the time of the House, but having been forced into the subject he could not avoid it.

Petition to be printed.

DUBLIN TURNPIKE ROADS.] Mr. *More O'Farrell* presented a Petition from the Clergy, Gentry, and other Freeholders of certain districts of the county of Dublin, complaining of the amounts levied as tolls upon the roads in Ireland, such heavy tolls were charged upon manure and various articles of agricultural produce, which were allowed to pass free in England, that they were a great injury to agriculture. These evils were aggravated, in the opinions of the petitioners, by the manner in which private bills passed that House. They were often hurried through without those who were most interested having any opportunity to examine into their provisions. This subject had excited considerable sensation in Ireland, and he was prepared to show, at the proper time, that several of the roads could be better and cheaper managed than by the present trustees, who, he had reason to believe, occasionally employed the funds collected more for their own advantage than for the public benefit, by employing their own tenants on the works, whom they paid with tickets instead of money, and to whom they allowed a higher rate of wages than usual, that they might in return charge them with a higher rent upon his holdings. His object was, to ask for a Committee of Inquiry into this subject.

Lord *Brabazon* said, this was a subject which, he could assure the House, required investigation. He was sorry to say, that many very respectable persons allowed themselves to be named as trustees without taking any part in the management of the roads, whereby they became passive instruments in the hands of certain interested persons, who found their own account in jobbing on the roads.

Mr. *O'Connell* agreed with the hon. Member and the noble Lord, that this was was a subject which demanded inquiry; he, therefore, trusted the hon. Member would appoint a day for moving for a Committee, and he should have his best support.

Mr. *Sheil* begged leave to suggest, that the appointment of a permanent Committee on Irish affairs would be found very useful. It would save the House much time to refer many of the petitions, which were usually attended with discussion if presented to the House, to such a Committee.

Petition to be printed.

PRESENTATION OF PETITIONS.] Lord *Brabazon* wished to take that opportunity of calling the attention of the noble Lord, the Chancellor of the Exchequer, to the difficulty, or rather impossibility, of getting petitions presented; he, therefore, hoped that a day would be set apart for that purpose, or some means provided by which the wishes of the people could be known.

Lord *Althorp* was afraid that it would be impossible to make any alteration which would suit the noble Lord's wishes. He was aware that, after the business of the night was over, petitions might be presented up to any hour. It was true, few Members were in the House on such occasions, but the same had always been found to be the case when a particular day was set apart for petitions. The great number of petitions which within three or four years had been presented to the House, and the discussions which arose on them, had rendered it absolutely necessary to fix some period for receiving petitions; he, therefore, could not see any mode of remedying the grievance, but would be glad to listen to any proposal on the part of the noble Lord.

Mr. Alderman *Thompson* hoped the noble Lord would extend the time for receiving petitions. He had for the last three weeks been in possession of a petition, which he anxiously wished to present, but had not been able to find an opportunity. It related to the Excise duties on soap, and, as there was a belief that new regulations were about to be introduced, those interested in the trade were most anxious to have some explanations from Government. He should, therefore, give notice that evening that he would present the petition on a certain day, in order to raise a discussion on the subject.

The *Speaker* said, the existing system relative to the mode of presenting petitions did not originate with him, nor, indeed, was there any standing order entered into by the House. There was an understanding, however, on the part of Members, that those Gentlemen who put down their names on the Speaker's paper should present them in the order of their names on the list, and that petitions could be presented only up to five o'clock. Till the House, therefore, came to some new resolution on the subject, he did not see what could be done.

Mr. *Geo. Bankes* said, the greater part of the inconvenience complained of arose from the anxiety of the noble Lord and his colleagues to pass the Reform Bill. As to petitions being presented after the debate of the night was over, few Members knew that such petitions had been presented.

Lord *Althorp* understood, that Members on both sides of the House concurred in the necessity of a speedy settlement of the Reform question, whatever their opinions might be with regard to its principles. He felt, therefore, some surprise at the remark made by the hon. Gentleman.

CHOLERA MORBUS — MEASURES OF PRECAUTION.] On the Motion of the Chancellor of the Exchequer, the House resolved itself into a Committee on this Bill.

Sir *William Rae* wished to know whether any provision had been made in this Bill relative to the expense incurred in the prevention of the disease in Scotland? As there were no parochial rates in that country, he did not see how the Bill could apply.

Lord *Althorp* replied, that the provisions relating to the parochial and county rates would be so worded, with respect to Scotland, as to harmonize with the machinery in existence in that country. He was also willing, in compliance with the suggestion of the right hon. Baronet opposite, to omit that part of the clause which would throw the ultimate expense upon the county rates. He was willing also to consent that power should be granted to the Privy Council to reimburse parishes that were greatly distressed, when they had been at an expenditure for the preservation of the public health which they might be unable to afford.

Sir *Robert Peel* expressed his concurrence in the communication now made by the noble Lord; but he thought the Privy Council ought not to be restricted exactly in the manner pointed out, viz., rendering assistance to distressed districts only; for he would have the Council authorised to purchase buildings for the purpose of temporary hospitals, in which Cholera patients should be treated; and other powers should also be given, which the Privy Council considered likely to prevent the spread of the disease.

Mr. *Warburton* urged the policy of spending liberally at the outset, as likely to be the most prudential course in the end, even on principles of rational economy.

Mr. *Cutlar Fergusson* thought that Government should at once advance loans of money to such parishes as stood in need of pecuniary assistance.

Sir *Henry Hardinge* said, that some provision ought to be made concerning those married soldiers who slept from the barracks. There were from 150 to 200 married men in each of the regiments of the Guards, many of whom were living in Spitalfields and Bethnal-green. Now, these soldiers had every day to appear at the parade, and, if the Cholera were to be in the neighbourhood in which they resided, some risk was run of their bringing it to the barracks. He had heard, on his way to the House, a report, which he certainly could scarcely credit, that, in order to remove the married men from London, they were to be taken from the four battalions now here, and sent to Windsor. He hoped, however, that no such proposition was to be carried into effect. He would suggest that a sum of money, at the rate of about 1*l.* a man, which would not amount to more than 600*l.* or 700*l.* a month, should be advanced to have quarters furnished for the married men of the different regiments. This was a course which would avoid the risk of communicating the infection, should the disease unhappily prevail in that part of the metropolis which he had named.

Sir *James Graham* said, that the subject alluded to by the hon. and gallant Member had not escaped the notice of his Majesty's Ministers. He had had an interview that morning with the Commander-in-Chief, and he could assure the hon. Baronet that no such plan as that which he had named, as to the removal of the married men belonging to the regiments of Guards now in the metropolis to Windsor, was contemplated. There was, however, a plan very much in conformity with that now suggested by the hon. Baronet, as to the married soldiers being removed from those private quarters, under consideration. Another proposition had been made to hire some public buildings for the soldiers who were in quarters, and appropriate them as barracks.

Colonel *Davies* concurred with what had been said by the right hon. and gallant officer; and he also thought that money should be advanced to parishes, as suggested by the hon. member for Kirkcudbright.

Mr. *Hunt* said, that the poor weavers of Spitalfields would think themselves well off, with nothing but the additional money which the hon. and gallant officer had proposed to give the married soldier. He feared that the whole earnings of many families did not amount to 1*l.* a month. Something ought to be done to relieve the distress of the people as well as the distresses of the soldier.

Sir *Robert Peel* said, that the object of the Bill now under discussion was to afford seasonable relief to all who were distressed, therefore, the extraordinary powers with which the Privy Council were invested would, of course, apply to the Guards in common with the remainder of the community.

Sir *James Malcolm* said, he had unhappily seen much of the dreadful malady called Cholera Morbus, while serving in India, and, therefore, he trusted, he should be excused for trespassing upon the Committee for a few minutes. He begged leave to say, that he had commanded an army of several thousand men in provinces which were never entirely free from that fatal pestilence, for a series of years. He had often and often traversed these provinces in the performance of his public duties, and had invariably found the Cholera to be locally infectious. Such corps as had the misfortune to pass the infected lines, inevitably lost 40 or 50 men by the disease, while not one individual in any of the other corps had suffered from it. He had uniformly observed that the assembling together of crowds of people materially contributed to its progress, and predisposed the constitution to receive it. His policy, therefore, had been, as much as possible, to prevent bodies of people from coming together, and he had consequently, in some cases, interdicted fairs and such assemblages of the people as were found, by experience, to conduce to its extension. The disease prevalent in England at present, he believed, did not correspond in every particular with the Cholera of the East, but it was to be feared that it possessed but too many features in common with that pestilence. The House, at all events, had not been wanting to its duty; he, as well as every other Member of it, would put confidence in Government, and support it in the exercise of extraordinary powers in this great cause of suffering humanity. The less the public mind was alarmed the better, and certainly the timid ought to remember that it was fully proved by official documents that this formidable malady was not so fatal in its general operation as many other diseases to which every one was liable. His plan in the East had been to keep the ravages of the disease, as much a secret as possible; and he had consequently prohibited every soldier from mentioning the very name of Cholera, though they were much inclined to make it a topic of conversation. He wished the physicians to conceal most of the cases, but that system, he apprehended, would not be practicable here. Wherever the Cholera made its appearance, all other complaints were ascribed to it, and thus it became more terrible in name than it really proved to be in effect.

Sir *Henry Hardinge* said, in what he had stated he never meant that the pay of a married soldier should be raised, which would operate as a bounty to soldiers to take wives; his only object was, that relief should be afforded such as the peculiar circumstances of the case demanded.

Colonel *Wood* observed, that a good deal having been said in favour of the married soldier, he wished to say a few words for the unmarried soldier. The Guards in Knightsbridge barracks were packed much too closely. The gallant General (Sir John Malcolm) had said, that in India every precaution which he could take were used to prevent crowds from assembling together, The Guards in the barracks at Knighstbridge were in rooms (without meaning to cast any reflection upon Government) which it was disgraceful to the country to permit. In one room, which had been actually the hay-loft of the Grenadier-horse, 100 soldiers were now crowded together. He believed the room had no plaster round the sides, and no ceiling. The air was so foul that a candle would hardly burn in it. If the Cholera were to break out there, he was persuaded it would run through the whole of the people like wildfire. He thought it the duty of his Majesty's Ministers to diminish the number of soldiers in the rooms where they were so crowded, by hiring other buildings, and having them occupied as barracks.

Colonel *Evans* regretted to hear so many hon. Gentlemen speaking of the Cholera as a highly contagious disease, and he thought that restrictions with such measures as the Bill now before them would increase rather than diminish the alarm which existed in the country.

An *Hon. Member* stated, that he had suffered, last autumn, from a severe attack of Cholera—whether the Asiatic disease or not he could not determine—from which he underwent extreme pain for eight hours. He was inclined to believe, from that circumstance, that the disease had prevailed in this country for many months, and that unnecessary alarm was excited respecting the malignity of the Cholera.

Sir *William Rae* thought, that Scotland if it were to be included in this Bill, had had some reason to complain that it had not been brought in at an earlier period. Delay was much to be avoided, and, it should be remembered that the method of levying local rates was different in Scotland from the method of levying those rates in England. The Privy Council had sent down certain orders to Edinburgh, and it was most necessary, with a view to the safety of the inhabitants, that these orders should be obeyed; but it turned out that many of these orders were contrary to the existing law, and consequently there was no power for enforcing them. The Act of the Legislature was necessary to confer that authority, and it ought to have been conferred before now.

The *Lord Advocate* said, that all the Council were most eagerly anxious to provide a remedy against the spreading of the disease in Edinburgh, and to provide that remedy as speedily as possible; but he knew of no means of carrying into effect the object they had in view but that of providing funds, by giving authority for compulsory assessments, and to that course he understood a long, a severe, and a protracted opposition would be offered.

Mr. *Cutlar Fergusson* said, that he was sorry to hear of any obstacles to such a course. He should rather consent to grant authority for compulsory assessments in Scotland, than leave the authorities without the means of carrying into effect the orders of the Privy Council.

Lord *Althorp* said, that it would be useless to give the Magistrates of Scotland the authority to carry into effect the orders of the Privy Council, without the means were at the same time placed in their hands. The bill upon that subject was not yet introduced, and he recommended that the subject of it should not be discussed till it was presented to their notice.

Mr. *Warburton* deprecated the course which the gallant Officer near him had recommended. If the publication of what was said on this subject was forbidden, the alarm would become truly terrific, and the most evil consequences would result from it.

Mr. *Hume* wished to take that opportunity of calling the attention of the House and of the public to the evil of collecting large bodies of persons together in a small room at a time like the present. For fourteen or fifteen hundred persons to meet in a small room was a most imprudent thing, and might be the means of spreading infection very extensively.

Sir *William Rae* asked when the Bill relating to the Cholera in Scotland would be introduced?

The *Lord Advocate* said, he should be ready to introduce his Bill respecting Scotland this evening.

Sir *William Rae* wished that the Government would take measures to bring in the Bill as speedily as possible; because the Ministers must know as well as he did, that the letter of the law, as it now existed, had been found not to warrant the orders they had sent down to Edinburgh, and that several persons had, on that account, resisted the orders, and refused to remove the nuisances.

Several clauses of the Bill were read and agreed to.

On the clause imposing the fine being read,

Mr. *Hunt* again alluded to the subject of the distress and wretchedness prevailing in Bethnal-green and Spitalfields. Such persons only as were poor and wretched would be likely to come under the penal provisions of this clause, and he, therefore, must express a hope that the Government would assist the people where the distress he had alluded to prevailed, and where the parish funds were too small to enable them to assist themselves. He had that day had a deputation to wait on him from Spitalfields, and the members of that stated, that the poor-house, which was only calculated to hold 600 people had at present actually upwards of 1,100. The paupers were lying six in a bed; there were forty patients labouring under the typhus fever and no distinct apartment to separate them from other paupers. The parish was so much in debt that the trades-people hesitated to supply the paupers with food. That parish, therefore, was quite unable to meet any additional expenses.

Lord *Althorp* said, that a Gentleman had been sent to inquire into the condition of the poor in Spitalfields, and that it was the intention of the Government to see what assistance could be rendered them.

Mr. *Warburton* asked, if any means of disinfection had been adopted by the Central Board of Health. The present practice of sprinkling vinegar was disagreeable and useless. Another method was, that which had been discovered by Dr. Henry, of Manchester. It was established by the experiments of that gentleman, that by exposing substances to a heat of 200 degrees, they might be completely disinfected. He had tried experiments by impregnating substances with the infectious matter of scarlet and typhus fevers, and of the small-pox, and had invariably found that heat destroyed the infecting power.

Mr. *Poulett Thomson* said, the statements of Dr. Henry on this subject had been referred to the Board of Health; and the gentleman who attended there on his behalf was told that if he would construct his apparatus, and exhibit its effects before the Board, every attention would be paid to the subject. Dr. Henry, or at least the gentleman who acted on his behalf, had not been prepared to incur an expense of three or four pounds for that purpose; and he thought, that he could not recommend the Board to incur that expense for that would be furnishing a precedent for similar proceedings hereafter, and the Board would be called upon to defray the expenses of all the experiments to be made by all other persons who were desirous of submitting their opinions on that or any other matters of science to the Board.

Mr. *Hume* said, it appeared to him, that if ever there was an instance in which the Board ought to have assisted any person in the expense of experiments, it was this one. He was aware, that the consequence of doing so in one case would be, that the right hon. Gentleman would be pestered with applications for advances for experiments; but Dr. Henry stood before the public with all the recommendations of a well-established character. He was a man of undoubted talents, and of great skill as a chemist. The country certainly was reduced to the adoption of a curious economy, when sinecure offices of five guineas a day were made, and three or four pounds for an experiment that might secure a great public benefit were refused.

Lord *Althorp* said, that the objection to the advance of the money was that which had been already stated. The Ministers were aware that Dr. Henry was a man of scientific attainments, and he was not likely to propose any experiment without strong grounds for believing that it would be successful; but then the hon. Member must recollect that all persons were not like Dr. Henry, and there were many persons who would propose that the Government should incur the expense of experiments that were not likely to be useful. The Government, should it once admit the principle of making advances for experiments, would find it difficult to say to any man before the experiment were made, that he was a man without character, that his labours would be valueless, and therefore they could not with respect to him, go into the expenditure of even a small sum of money.

Mr. *Warburton* said, that there was in his opinion, a marked difference between this case and others of the kind referred to by the noble Lord. In this case the experiments had been made, those experiments had been published; the result, therefore, already known and ascertained, had proved that his plan, if adopted, must be successful. All Dr. Henry wished was, that his experiments on the disinfecting power of hot air should be fairly tried, the expense of the apparatus being all that it was necessary to incur.

Mr. *Briscoe* understood, from the remark made by the right hon. Gentleman, the Vice-President of the Board of Trade, that the expense of an apparatus on Dr. Henry's plan, would not exceed *5l.* He begged leave, therefore, to suggest the propriety of every parish being compelled to provide itself with such an apparatus.

Clause agreed to, as were all the remaining clauses.

On the preamble being read,

Mr. *Briscoe* moved, in order to mark and acknowledge the visitations and power of Divine Providence, the insertion of the words, "Whereas it hath pleased Almighty God to visit the United Kingdom with the disease called the Cholera, or Spasmodic or Indian Cholera; and whereas, with a view to prevent, as far as may be possible, by the Divine blessing, the spreading of the said disease."

Lord *Althorp* said, that he would not oppose the motion now it was made, but he thought it would have been better that it had not been made.

Mr. *Hume* said, that he would oppose the motion; no reason could be assigned for the introduction of such words that would not apply to every Act they had passed; as, without the aid of that Being through whom they lived and moved, no object whatever could be obtained. Why should they say the Cholera was a Divine infliction? They might as well declare that it was a Divine blessing. He thought hon. Members ought to be satisfied now that a fast was appointed. Let those who were impelled by religious feelings, devote that day to its destined object.

Mr. *Hodges* hoped that the hon. Member for Surrey would not persevere in the Motion, as he thought such words should not be lightly used.

Lord *Althorp* said, as there was a difference of opinion on the subject, rather than raise a debate on it, the hon. Member had better withdraw the Motion.

Mr. *Lefroy* should lament to see the hon. Member withdraw a motion which he had brought forward with so much propriety. It was only recognising the Divine power, and, he trusted, it was not yet necessary that any Gentleman should apologize for proposing that.

Mr. *Warburton* said, he thought that the hon. member for Surrey must perceive from what had already taken place, the inconvenience which resulted from introducing questions like the present for discussion in that House. Indeed, upon such questions, Members of that House were scarcely free agents; because, if they opposed inconsiderate and ill-judged propositions, imputations would be thrown upon them. It was of no great importance whether the words should be inserted or not, but he objected to the introduction of them upon the general principle, and if no other Member would take the sense of the Committee upon the Motion, he would.

Mr. *Shaw* considered the words peculiarly applicable, and hoped that the hon. Member would press the Motion. He thought it inconsistent in the hon. member for Middlesex to refer to the appointment of a fast day as a reason for not agreeing to the Motion, because the hon. Member and his friends did all they could to prevent a day of fast from being appointed.

Mr. *Hume* said, that he was as much as ever opposed to the appointment of a fast day. He regretted that Ministers had been weak enough to agree to the proposition. It would augment the evil which it was intended to mitigate.

Lord *Althorp* again expressed a hope that the hon. Member would not press his Motion. To have a division upon such a question, whether it should be carried or not, was a thing to be avoided. He felt it necessary to add, that the appointment of a day of fast was not a consequence of the Motion which had been made on that subject. The fast day would have been appointed if that Motion had never been brought forward.

Mr. *Briscoe* said, he had not the slightest idea that there would have been a difference of opinion as to the propriety of his Motion. It was allowed, on all hands, that the Cholera was a disease which baffled human skill, and, therefore, it must be considered an infliction of Providence. Under all the circumstances of the case he would withdraw the Motion.

The House then resumed, the report was received, and the Bill was ordered to be read a third time the next day, and then engrossed.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — TWELFTH DAY.] On the Motion for going into a Committee on the Reform of Parliament (England) Bill,

Lord *Althorp* observed, that he was at all times unwilling to propose sitting on Saturdays, and if the remaining clauses of the Bill, without the schedules, could be got through on that night and Thursday, it was not his intention to propose that the House should sit on the ensuing Saturday. Friday was devoted to supply.

Mr. *Goulburn* said, it was of great importance that the Boundary Bill should be brought in previously to their entering into the consideration of the schedules, he trusted, therefore, it would be speedily laid upon the Table.

The House in Committee.

Clauses 62, 63, and 64, were agreed to.

On Clause 65 being read, which limits the time of polling in boroughs to two days,

Mr. *Wason* rose to move the Amendment, of which he had previously given notice. He wished that in all boroughs where the registered voters did not exceed 1,000 in number, the poll should continue for one day only. He regretted to understand that he should meet with few supporters, as Ministers were determined to oppose the Amendment; but he must be permitted, notwithstanding, to say that he considered his proposition to be in strict conformity with the principles of the Bill. They had limited the poll to two days where there were 15 or 20,000 voters, which would, he feared, be too short a time to allow all the electors to poll. This was done with a view to prevent those scandalous scenes of bribery and corruption which occasionally prevailed. He would, therefore, ask any hon. Member if two days were sufficient to poll so many constituents, whether one day would not be an ample time to poll 1,000? Every person acquainted with the management of borough elections, knew that it was after the first day's poll upon the number of electors who had not given their votes was accurately known, that the most debasing scenes of bribery and corruption took place. But, perhaps, it might be said, there were few boroughs whose constituency would be limited to 1,000 by the Bill, and, therefore, it was not worth while to legislate upon the subject. He found, however, that of the 160 ancient cities and boroughs which would still retain their privileges of sending Members to Parliament, only eighteen possessed a constituency above that number. His great object by the amendment was to prevent bribery, which he held to be a worse evil than nomination. Considering it a question of principle, he must say, that he intended to call for a division upon his motion.

Lord *Althorp* admitted that the amendment was not contrary to the principle of the Bill, but it by no means followed, that it would be advisable to adopt it. Undoubtedly it was desirable that the period of an election should be as short as possible, and it was with that view that the time generally was limited to two days in all boroughs and cities. But as this clause provided that not more than 600 voters should poll at one polling place, if the time was confined to one day where the constituency was above that number, several polling places in proportion to the numbers must be prepared, and this would put the candidates to an increased expense. The hon. Member's amendment went upon the doubtful principle, that it was on the last day's poll, that bribery was most likely to prevail, but in that remark he could not agree. He trusted that the new constituency would be so respectable as not to be open to such a suspicion. For these reasons he must oppose the amendment.

Mr. *Wason* regretted that the noble Lord should not assent to his Motion. He must persist however in pressing his amendment.

The Committee divided on the amendment:—Noes 91; Ayes 1; Majority 90.

List of the NOES.

Althorp Visc.
Alexander, James
Alexander, J. D.
Bankes, W. J.
Bateson Sir R.
Bernard, G.
Best, H. S.
Bentinck, Lord G.
Berkeley, Captain
Blake, Sir F.
Blunt, Sir C.
Briscoe, John I
Bodkin, John J.
Boyle, hon. John
Bunbury, Sir H. E.
Burge, W.
Burke, Sir J.
Campbell, John
Carter, John B.
Crampton P. C.
Currie, John
Dick, Q.
Dixon, Joseph
Doyle, Sir J. M.
Drake, T. S.
Drake, Col. W.
Ellice, Edward
Ellis, Wynn
Ewart, William
Ferrand, W.
Foley, hon. T. H.
Folkes, Sir Wm.,
Graham, Rt. hon. Sir J.
Grant, Right hon. R.
Grant, Rt. Hon. C.
Grattan, H.
Goulburn, Rt. Hon. H.
Handley, Wm. F.
Hawkins, J. H.
Heywood, Benj.
Hill, Lord G. A.
Hodges, Thomas L.
Hodgson, J.
Hoskins, Kedgwin
Howard, Phillip H.
Hume, Joseph
James, William
Jeffrey, Rt. Hon. F.
Joliffe, Hylton
Jones, Theobald
Lambert, Henry
Leigh, Thos. C.
Lennard, Thomas B.
Lennox, Lord George
Loch, James
Macaulay, Thomas B.
Mangles, James
Majoribanks, Stewart
Musgrave, Sir R.,
Murray, Sir George
Nowell, Alex.
Nugent, Lord
Paget, Sir Charles
Payne, Sir Peter
Peel, W.
Penleaze, John S.
Pepys, C. C.
Petit, Louis H.
Price, Sir R.
Ponsonby Hon. G.
Schonswar, George
Skipwith, Sir G.
Smith, R. V.
Stephenson, H. F.
Strickland, George
Strutt, Edward
Stuart, Lord Dudley
Stewart, Edward
Taylor W.
Thicknesse, Ralph
Tracy, Charles H.
Venables, Alderman
Villiers, T. H.
Waithman Ald.
Walker, Charles A.
Warburton, Henry.
Warre, John A.
Webb, Col. A.
Weyland, Major R.
Williams, Sir J.
Williams, W. A.
Williamson, Sir H.
Willoughby, Sir H.
Wood, Charles
Wood, Ald.
Wrightson, Wm. B.
Wetherell, Sir C.
Wood, Col.

TELLER.
Baring, Francis T.

List of the AYES.

Gisborne, Thomas

TELLER.
Wason, R.

The 66th Clause, which enacts that each person shall vote at the booth appointed for his parish or district read.

An *Hon. Member* begged to ask the noble Lord, the Chancellor of the Exchequer this question:—Supposing that a borough were divided into two districts, and that an elector had a qualification by freehold in both, in which of the districts would he be entitled to vote?

Lord *Althorp* replied, that he would be entitled to vote in that district in which he generally resided.

Mr. *Ewart* suggested that the application of this mode of voting to the borough of Liverpool would be very inconvenient. There the practice was, to form the polling place into booths, which were marked alphabetically, and those persons whose names began with A voted in one division, while those names that began with B voted in another, and so on. That practice had been found very convenient in avoiding disorder and confusion. He should be sorry to see the practice altered in that town.

Mr. *Wason* agreed with the hon. Member: he had been present at many elections for Liverpool, and had seen 1,500 persons vote in one day at the same place, without the least confusion.

Mr. *John Campbell* said, that similar practice was adopted in the borough which he had the honour to represent, and was found very convenient. He, therefore, urged that the practice should be allowed to continue in those boroughs where it already existed.

Sir *Charles Wetherell* said, the whole machinery of the clause was only calculated to create confusion. He supposed that information of the several places of polling were to be placed on the Church doors, or some other conspicuous place, otherwise he did not understand how the parties interested were to know to which booth they were to go. It certainly, in his opinion would be better to confine the polling to one general place.

Lord *Althorp* was convinced that, in large towns, it would be necessary to have several places for polling, and the clerks employed at these places would doubtless be selected from their local knowledge of the electors of their district. If an alphabetical plan of voting was introduced, and only one general place employed, that advantage would be lost. Another advantage was, that by having several distinct places, it would most likely prevent large and tumultuous assemblages of persons

Mr. *Schonswar* agreed with the noble Lord. He preferred the plan of voting by districts. Where there were only freemen to poll, no doubt the Town Clerk could recognize them with facility, but when there was a numerous constituency of householders, a local knowledge of their persons would be absolutely necessary.

Mr. *Goulburn* thought that if the plan of voting in districts was adopted, it would be advisable to tell the voter in which district he was to vote, and where the polling place would be situated when he was registered.

Mr. *Hunt* was fully convinced that it would be necessary to make some provision to acquaint each voter before an election in what place and district his vote was to be taken.

Mr. *John Campbell* said, the precise manner of taking the poll might be left to the discretion of the returning officer; and, as in most of the old boroughs, the great part of the inhabitants were acquainted with the manner of voting in such places, he thought such customs ought to remain, and it would be well to introduce a proviso into the clause to that effect.

Lord *Althorp* would give the suggestion of his hon. and learned friend his best consideration, before he brought up the report on the Bill.

Verbal Amendments were made in the clause, which was ordered to stand part of the Bill.

The 67th Clause agreed to.

On the 68th Clause being put from the Chair, which fixes the time when the returning officer is to close the poll, and gives him power to adjourn it in case of riot,

Sir *Charles Wetherell* objected to the limitation of the duration of the poll to two days. He was fully convinced it would be absolutely impossible in many places to poll all the electors in that time, particularly on the first attempt at a great experimental change, in which the whole system of Representation was altered. The greater part of the first day was generally occupied by the lecture which the candidates gave the electors, or the electors gave the candidates, on their political duties. The latter custom he saw, was getting very prevalent in certain places. This was, perhaps, a very useful practice, and yet this clause would either put extinction upon it, or would limit the duration of the poll to only one day. When the greater part of the first day was thus occupied, he would give the returning officer the power of adjourning the poll to another day. He would, therefore, propose, that after the words "where the proceedings at any election should be interrupted or obstructed by any riot or open violence," the following words should be added—"or delayed by other cause deemed sufficient by the returning officer;" he knew that this was leaving a very wide discretion to the returning officer, but he thought it better that the returning officer should enjoy this discretionary power than that so valuable and ancient a practice as that to which he had referred should be extinguished under our new Constitution.

Lord *Althorp* said, he must object to the amendment. When electors knew their time was limited, they would make arrangements to get through their business in the given time.

Sir *Edward Sugden* entertained very considerable objections to the clause. He would beg to ask, how it was possible for any candidate to make speeches and communicate with his constituents at several polling places without at least consuming one day, and a candidate must be constantly present to uphold his friends and prevent reports to his prejudice being circulated by his opponents. Again, the clause said, the poll was to be adjourned in the event of any obstruction, but it was impossible to define an obstruction. Nor did the clause say, that if there was a hinderance to the poll in one district only, the poll must be adjourned in all the others, so that the effect of the clause was to closely limit the time of elections with one hand, and open the door to unlimited time on the other.

Lord *Althorp* said, if an obstruction took place in a town, it would be the duty of the returning officer to adjourn the poll, in all the districts, to a future day; if the same thing happened in a county, the adjournment need not extend beyond the place where the obstruction arose.

Sir *Edward Sugden* said, the explanation of the noble Lord had not got quite over the difficulty. If the poll was adjourned in one place, the electors in that district would know the result of the others, and, therefore, they would have the return in their own hands, so that here was a premium offered for a few electors in one district to make a disturbance, with the certainty that an adjournment of the poll would increase their influence as to the final result.

Lord *Althorp* said, the hon. and learned Gentleman was fond of arguing upon exceptions, but as there appeared some reason in the remark he had just made, he would give the subject his best attention, and, in the mean time, consent that the clause be postponed.

Clause postponed.

The 69th clause, which provides that candidates, or persons proposing a candidate without his consent, should be at the expense of booths and poll-clerks, being read,

Lord *Sandon* quite approved of the object of the clause, and he thought it would be an additional advantage, if some specific sum was named, that the candidate or proposer must pay previous to the election; this would, in the first place, prevent persons unnecessarily proposing candidates, and, at the end of an election, would prevent any exorbitant charge being made.

Mr. *Hunt* said, he objected to the clause wholly; he preferred the ancient and constitutional practice, by which the corporations in boroughs were bound to provide a place for holding the elections, in which case the expenses never came to one-third of the sum charged to the candidates. Westminster was, he believed, the only place where the candidates paid this expense, and that custom was not of long standing. Where the expenses were paid by the returning officer, they did not amount to half what the candidates had to pay.

Sir *Charles Wetherell* saw no reason why the expenses were now to be borne by candidates, when they had always hitherto been defrayed by the persons who had the privilege of returning them. He had always objected to such an arrangement. It was notorious that the candidates, where it was the custom for this charge to be made upon them, paid three times more than they ought to pay. There was some possibility of a collision between the returning officers and the builder.

Colonel *Sibthorp* said, this was the only clause in the Bill that he could tolerate. He had no objection to all the first part of the clause, but he could not wholly agree with the latter part of it.

Mr. *Hume* understood, that in some cases the expense of booths amounted to 1,200*l.* As long as there were only two candidates who agreed, the expense might be trifling, but a third candidate refusing to enter into a common contract with the other two candidates, and acting in concert with the returning officer, might secure his own election by the expense to which he would be able to put the other candidates. He would recommend that the expense should be thrown on the county or borough which might build booths once for all. The expense for one year might provide booths for twenty years. The noble Lord might be sure that he would not have the support of the gallant Colonel, if the clause had not been calculated to injure the Bill.

Lord *Althorp* said, that the expense of hustings, as compared with the general expense of an election, would be very small, and it would serve as a species of check to individuals who, with little prospect of success, might come forward as candidates, and thus inflict expense on others.

Mr. *Charles Ross* observed, that he did not think there was any occasion for the clause, the arrangement had better be left to the persons interested.

Mr. *Hunt* said, the expense of hustings might be considered very light by the noble Lord, but such charges gave wealthy persons a great advantage over candidates in humble life, who were unable to compete with them on account of such expenses. There were such things, too, as corporation funds in existence, which were not always used for very good purposes. On these grounds he begged leave to move as an amendment, that all booths erected for county elections should be paid for out of the county rates; and for those of cities or boroughs, out of the corporation funds, if any; and if not any, out of a rate to be collected in the city or borough.

Sir *Edward Sugden* certainly thought that the expense ought to be borne by the county generally, if one of the objects of the Bill really was to diminish the expense of elections. It was difficult to know what the funds of a corporation were, without filing a bill in Chancery.

Colonel *Davies* was persuaded the clause would open the door to great abuses, and that sums of money might nominally be given for the expense of building hustings, but really for the purposes of bribery and corruption.

Mr. *Strickland* said, he was also fully convinced that, unless there was some limit fixed for the expense, the charges, particularly in large counties where several polling places must be erected, would be very considerable.

Lord *Sandon* suggested, that the expense of each polling place should be limited to 25*l.*

Lord *Althorp* said, that although he was desirous to save candidates expense, it was not fair to throw them on the constituent body. If any sum, say 40*l.*, could be suggested that was not too much, or too little, he was favourable to the noble Lord's proposal of limiting the expense; but 25*l.* was too small a sum.

Colonel *Wood* said, the best plan, after all, in his opinion, would be, for each county and borough to erect permanent polling places, the expenses of which might be defrayed by the county or borough, and the candidates charged a given sum for the use of them. This would meet all the objections that had been made against the clause hitherto.

Mr. *Hume* said, he very much approved of the proposal for limiting the expense of the hustings; considerable and heavy charges were often improperly made, which prevented persons of moderate means from offering themselves, and thereby deprived the country of the best candidates it could have. Candidates should be encouraged to come forward by all reasonable means. The larger the choice, the better was the prospect of selecting an able Member from among them.

Mr. *Sheil* said, that the 1st and 2nd Geo. 4., commonly called Sir Henry Parnell's Act, had defined the expenses of such buildings in Ireland, and its operation had been found very beneficial in limiting expenses.

Mr. *Hunt* was quite sure that the sum of 40*l.*, proposed by the noble Lord, would be the minimum charge, and, in many places where it was now smaller, it would be increased to that sum. He should, therefore, take the sense of the Committee on his Amendment.

The Committee divided: Ayes 4; Noes 154—Majority 150.

Further consideration of the clause postponed, and the House resumed.

List of the AYES.

Hume, Joseph	Payne, Sir P.
James, William	TELLER.
Paget, Thomas	Hunt, Henry

CHOLERA PREVENTION BILL (SCOTLAND).] The *Lord Advocate* trusted that he should be allowed to bring in the Cholera Bill for Scotland to-night, although he had not given any notice. He had intended, in the first instance, to include Scotland within the operation of the Bill brought forward by his noble friend; but as doubts had arisen whether that could be done, in consequence of particular laws prevailing in that part of the empire, he thought it better to bring in a separate measure. The object of his Motion was, to obtain leave to bring in a Bill for the prevention, as far as might be possible, of the spread of the disease, called the Cholera, in Scotland. The general provisions were the same as those in the Act which had just passed through the House, making allowances for the peculiar circumstances of Scotland. Hon. Members who were present in the early part of that evening, were aware of the circumstances which induced him to leave Scotland out of the operation of that Act; but this was a similar measure, allowing only for the difference in the nature of the Poor-laws of the two countries, and also for the difference of legal phraseology. The means of providing the necessary funds were the same in both Bills—namely, by means of a charge in the assessment for the poor. There was, however, a manifest difference between the circumstances of the two countries, although the law, as to a provision being made for the destitute poor, was the same. In England an assessment could be made without any difficulty, as the Poor-laws existed in every parish, and the machinery was, therefore, ready for operation in this instance. This was not the case in Scotland, for in two thirds of the parishes of that kingdom, there had never been a compulsory assessment and collection for the poor, although the law for allowing such collection applied generally to all the parishes. In the Bill which he now submitted to the House, he proposed that the assessment should be made according to the local Acts, in some of the royal burghs and other places, which were governed by such, and exempted from the operation of the general law. He had stated that in a large portion of the parishes, in nearly two-thirds, no assessment for the poor had ever been made, although the laws for that purpose were still in force, and could be carried into operation when necessary. In many of them the Poor-laws had never been introduced, in consequence of the great exertions of the parishioners to prevent the introduction of a system which, they feared, if even brought into operation, might not easily be got rid of. The present, however, was a case which could not be treated in the ordinary way, and which, if anything could, would justify the resorting to extraordinary measures. The House was aware that, by the present law of Scotland, to make an assessment for the Poor-laws valid, it must be agreed to, and settled, at a meeting of the inhabitants of the parish. Now, in case such meeting should not be held, the Kirk Session might order and direct that an assessment be made for the purposes of this Act. He was aware that there existed in the minds of many the strongest objections to the introduction of compulsory assessments into those parishes of Scotland, into which the system had not hitherto been introduced, and no case but one like the present—of sheer necessity—could justify the Legislature in resorting to this course; although, by the strict letter of the law of the land, all parishes in Scotland were liable to this species of assessment. He proposed that leave be given to bring in a Bill for the prevention, as far as might be possible, of the disease called the Cholera, or spasmodic or Indian Cholera, in Scotland.

Sir *William Rae* would not throw any impediment in the way of the learned Lord; but he trusted that the House would have an opportunity of well considering the provisions of this Bill, and that it would be printed without delay. He could not accede to the course proposed by the learned Lord, and he regretted this the more, as he had wished to avoid discussion on a Bill of this nature. His objection to this measure did not rest on common grounds; he protested against it, as the commencement of a compulsory system of Poor-laws, in all the parishes in Scotland, and which two-thirds of these parishes had made the greatest sacrifices to prevent. The people of Scotland would regard the proposal now made with the utmost alarm, and he trusted that all the Members from that country would be alive to their duties, and oppose the general application of a most objectionable system—a system which, after it had once been resorted to, had seldom or never been abandoned. The learned Lord made his rule general, but, at the same time, he exempted those places having special Police Acts. He (Sir William Rae) thought, by means of one or other of these Acts, something might have been suggested to his mind, to have rendered it unnecessary to resort to this system. For instance, before the learned Lord proceeded with this Bill, he ought to refer to the 59th George 3rd, c. 61, and he would there find a much better mode suggested for raising funds. This Act related to the building of gaols, and he would see, by looking to it, that certain sums were to be paid upon lands, according to their value, and upon houses, according to their rental. He trusted that the learned Lord would abandon the idea of having a fixed and compulsory rate levied in all the parishes of Scotland that might be visited by this disease. He hoped that the learned Lord would agree with him, that it was most desirable that whatever measure was introduced on this subject, should prove acceptable to the people of Scotland, and be carried into effect with alacrity; and he was confident that this would not be the case with the compulsory parochial assessment. The utmost consternation would prevail at this measure, for the people of Scotland would regard it as the first step to the adoption of the frightful system of Poor-laws which prevailed in this country. English Members, who were continually witnesses to the evils of the system which prevailed in England, ought to do their utmost to exempt Scotland from a similar curse.

Mr. *John Campbell* regretted that the learned Lord should have introduced this Bill; for the general adoption of the compulsory system of relief, would work much more evil towards Scotland, than the operation of the disease itself. If once this system was introduced, it would never be got rid of. He knew, from his own experience, the extreme difficulties the heritors of many parishes had had to contend with to prevent the introduction of the Poor-laws into their parishes. There was not a single instance of the system ever having been resorted to by a parish, and afterwards having been got rid of. He trusted that the learned Lord would devise some other mode of raising funds for these purposes, and not impose almost as great a curse as could be inflicted upon their native country.

Mr. *James E. Gordon* entirely concurred in the observations of his right hon. friend, respecting the evils which might fairly be anticipated from the operation of this measure of the learned Lord. If ever this system was introduced, they would never get rid of the evil it entailed. He trusted that the learned Lord would consider the suggestion of his right hon. friend, as by a measure founded on the principle of that Act, he would be able to carry into effect as much as by the plan he now proposed, and without any of the evil consequences which would attend the proposed measure. The learned Lord had applied the same principle to Scotland as to England, without considering the difference of the circumstances of the two countries. There was another part of this measure objectionable—the necessity of resorting to the authority of the Privy Council, before the Act could be brought into operation. It must be obvious, that this could not be done without considerable delay, as there were several parts of Scotland from which it would be impossible to hear in less than a week. In case the disease should unhappily break out in other districts of Scotland, application ought to be made to some of the authorities in Edinburgh, for delay would negative all the good that could be expected from the plan.

Mr. *Dixon* entered his protest against resorting to any system of compulsory relief, similar to the Poor-laws; as, in the country parts, the adoption of such a course would be attended with the greatest inconvenience. The learned Lord was desirous of making his measure palatable to the people of Scotland; but the principle of the present measure would be generally condemned. In very many parts of Scotland the most liberal subscriptions had been entered into, to meet any expenses that the case might require; and rather than resort to the system now proposed, the greatest sacrifices would be made.

Mr. *Cumming Bruce* said, that those who were acquainted with the operation of the Poor-laws would confess that they were "more honoured in the breach than in the observance." It would not be necessary for his right hon. friend to call upon the English Members to stand by him, and prevent the introduction of this system into Scotland; for, on consideration, the learned Lord would himself see the expediency of withdrawing the present measure. The learned Lord had brought forward this Bill with the most humane motives, and solely with a view to the promotion of the public good; and he trusted, therefore, when the objections were pointed out to him in so strong a point of view, that he would consent to re-consider the subject. The learned Lord was correct in calling this the old law of Scotland; but the expediency of applying it in this, or any other case, was more than doubtful. There had been meetings in many parishes in Scotland to consider the best mode of devising means to make provision, in case the disease should appear in them, and they had, with one accord, refused to avail themselves of the Poor-laws.

Mr. *James Johnstone* protested against the general adoption of the principle of the measure of the learned Lord, but would not oppose the introduction of the Bill. It would not be advisable to have a compulsory assessment in this or any other case. The people of Scotland had come forward in the most liberal manner, and contributed most largely to funds for the relief of the poor and diseased. There was not a village in Scotland in which a liberal subscription had not been entered into; indeed, much more generally than in this great metropolis, which would go far to make the learned Lord's measure unnecessary.

Mr. *Charles Grant* readily admitted the justice of many of the observations of the hon. Gentleman opposite, respecting the introduction of Poor-laws into Scotland; but, at the same time, every Gentleman in the House must feel that this was one of those extraordinary cases which required an immediate application, and every consideration must yield to consulting the preservation of the people. The suggestion of the hon. Gentleman, as well as that respecting the Privy Council, were well worthy of consideration. At the same time, he was sure that the House would give credit to the learned Lord for the most proper motives, in having originated this measure.

Leave given. Bill brought in, and read a first and second time.

* * *

HOUSE OF LORDS,

Thursday, February 16, 1832.

Minutes.] Petitions presented. By Lord Lorton, from the Clergy and Inhabitants of Moate, Westmeath, against the new system of Education in Ireland:—By Lord Cloncurry, from Members of the Society of Friends (Ireland), against Negro Slavery.

Cholera Morbus—Measures of Precaution.] The Marquis of Lansdown moved the first reading of the Cholera Morbus Prevention Bill, and in doing so, gave notice that he should to-morrow move the suspension of the standing orders of the

House, with a view to the passing this Bill, as quickly as possible, through its remaining stages.

Lord *Ellenborough* said, that though he had no objection to the passing of this Bill with as much rapidity as the noble Marquis might desire, he could not, at the same time, avoid observing, that it did not appear to be a bill that had been framed altogether with that due consideration and carefulness that were required in a matter of such importance. It was to be regretted that a measure of this kind had not been brought forward at an earlier period, when their Lordships' might have been able to devote more time to its consideration; and that Ministers had waited until the disease was at the door before they introduced this Bill. The attention of his Majesty's Ministers had been directed to the subject in December last, and it was then stated to them, that the powers given to the Privy Council under the 6th George 4th, for the removal of nuisances were not as comprehensive as they supposed, or sufficient to meet the emergency that was approaching. In the course of January it was distinctly shown that the powers vested in the Privy Council under that Act of Parliament were totally inadequate to meet the exigencies of the present case. He, therefore, repeated, that it was to be regretted that this measure had not been brought forward at an earlier period, when their Lordships' might have had more time to attend to the wording and the enactments of the Bill. From what he saw of it, it appeared to him that it would be necessary to make one amendment in it, namely, the introduction of the usual provision enabling Parliament to alter or amend the Act in the present Session.

The Marquis of *Lansdown* said, that there could, of course, be no objection to the introduction, to-morrow, of the amendment alluded to by the noble Lord. The opinion had existed that the Privy Council could exercise the powers vested in it by the Act of Parliament to a greater extent than, upon due consideration, was found to be the case. The present Bill had, therefore, been brought forward, as it appeared expedient that all doubts on the subject should be removed. The papers already laid on the Table would show that the instructions of the Privy Council had not been complied with in particular instances.

The Bill read a first time.

Tithes (Ireland)—Report of the Committee.] The Marquis of Lansdown presented the Report of the Select Committee to which had been referred the consideration of Tithes in Ireland, and the state of the law on that subject. The noble Marquis moved that it be read, which was done, as follows:—

"That the Committee have proceeded to examine into the subject which has been referred to them; and although they have not yet been able to bring their inquiries to a close, they think it their duty not to defer laying before the House their opinion on parts of the evidence which has been brought before them, and on circumstances which call for the immediate attention of the Legislature. A resistance, more or less decided, to the payment of tithe, appears to have been made in several parts of Ireland, but more particularly in the counties of Kilkenny, Carlow, and Tipperary, and a portion of the Queen's county, and supported by means of organized, illegal, and, in some instances, armed combinations, the danger of which is increased, by the peculiar circumstances of Ireland; but which, from whatever cause they may arise, if allowed to continue, and to extend themselves successfully to other districts, cannot fail to be applied to other objects, and ultimately to subvert the dominion of the law, and endanger the peace and security of society.

"It appears that the consequence of these proceedings has been, that, in the districts where resistance has been made to the payment of tithes, the clergy have, in many instances, been reduced to the greatest distress.

"The estimated amounts, in the districts where this resistance has chiefly prevailed, according to information laid before the Committee, of sums due for the tithe, are, in the dioceses of

Ossory.		
In compounded parishes .	£14,345	
In uncompounded ditto .	10,130	
		£24,475
Leighlin.		
In compounded parishes .	18,092	
In uncompounded ditto .	2,700	
		20,792
Cashel and Emley.		
In 113 compounded parishes	23,490	
In twenty-five uncompounded ditto, on an average of those which have been compounded	4,197	
		27,687
Ferns—supposed to be about . .		7,000
Kildare—ditto		5,000
Total		£84,954

"It appears to the Committee that, in order to afford immediate relief to the distressed clergy, it is expedient that his Majesty should be empowered to advance to the incumbent, where tithes, or compositions in lieu of tithes, have been illegally withheld, or to his representatives upon a petition verified by affidavit, sums not exceeding the amount of the arrears due for the tithes of the year 1831, proportioned to the incomes of each, according to a scale diminishing as their incomes increase.

"That, as a security for the repayment of the sums so to be advanced, his Majesty should be empowered to issue orders to levy, under the authority of a law to be passed for this purpose, the amount of arrears due for the tithes of the year 1831, without prejudice to the claims of the clergy for any arrear that may be due for a longer period, reserving, in the first instance, the amount of the advances so made, and paying over the remaining balance to the legal claimant.

"That where the tithes claimed by the party petitioning shall be under the operation of the Composition Acts, the amount to be advanced shall be regulated by such composition; where the amount of tithe shall have been regulated by any agreement, independently of the Composition Acts, the amount shall be regulated by such agreement; and in all other cases by the average amount of the tithes which have been really and *bonâ fide* paid or secured to the incumbent of such parish for the years 1827, 1828, and 1829.

"That, in order to the more effectually levying the amount of the sums so to be advanced, it shall be lawful for the Attorney General to proceed, either by petition to the Court of Chancery or of Exchequer, or by civil bill at the Quarter Sessions of the county in which the parish or part of the parish of such incumbent is situate against all or any of the parties from whom such arrear shall be claimed as due by such incumbent; and that the said Courts respectively may issue process for the recovery of the sums to be by them awarded, conformably to the provisions to be inserted in such Act of Parliament, and similar to those contained in several Acts of the Parliament of Ireland in the years 1787, 1788, 1799, and 1800, with such additions or alterations as may be thought fit to be introduced into such Act, as adapted to the circumstances now existing in Ireland.

"But, strongly as the Committee are impressed with the necessity of maintaining the authority of the law, and relieving the pressing wants the clergy have suffered from a breach of it, they have anxiously turned their attention to the practicability of effecting an useful alteration in the present system; and although the inquiry in which they are engaged is not sufficiently advanced to enable them to pronounce a distinct opinion as to the best means of removing the evils connected with the collection of tithes in Ireland, enough has appeared to satisfy them that, with a view to secure both the interests of the Church, and the lasting welfare of that country, a permanent change of system will be required. That such a change, to be satisfactory and safe, must involve a complete extinction of tithes, including those belonging to lay impropriators, by commuting them for a charge upon land, or an exchange for or investment in land, so as effectually to secure the revenues of the Church (as far as relates to tithes), and, at the same time, to remove all pecuniary collision between the parochial clergy and the occupiers of land.

"February 16, 1832."

Report on the Motion of the Marquis of Lansdown, and the evidence on which it was founded, ordered to be printed.

HOUSE OF COMMONS,

Saturday, February 16, 1832.

MINUTES.] New Writ ordered. A new Writ was ordered for the Borough of Tregony, in the room of Colonel CHARLES ARBUTHNOT, who has accepted the Chiltern Hundreds.

Returns ordered. On the Motion of Mr. Alderman WOOD, of the total Number of Attorneys admitted to practise in the Court of Exchequer, who had been previously admitted to practise in the other Courts of Westminster:—On the Motion of Sir HENRY WILLOUGHBY, the Amount of Assessed Taxes, &c., levied in the Parishes of St. Saviour's, Petroa, and Townstal, in the Town of Dartmouth, in 1829, 1830, and 1831:—On the Motion of Mr. JOHN STANLEY, of all Raw, Thrown, and Manufactured Silks, Imported into, and Exported from this Country, and brought into Consumption, from January 5th, 1830, to January 5th, 1831; distinguishing the different descriptions of Silk, whence Imported, and Amount of Duty; also the Amount of Drawback on the Exportation of British Silk Manufactured Goods for the year ending 5th January, 1831, distinguishing the Species; also all Foreign Manufactured Silk Imported without Payment of Duty, for the purpose of undergoing some process of Manufacture or Printing, &c., on condition of being afterwards Exported, in the year ended January 5th, 1831, distinguishing the different descriptions of Silk; the total quantities of Raw and Waste Silk entered for Home Consumption in Great Britain and Ireland, in each year, from 1814, to 1828, inclusive; distinguishing the Sorts, &c.

Petitions presented. By Mr. JAMES GRATTAN, from Catholic Inhabitants of Dunlavan, Donard, Donoughmore, and Ballynakill, for the Abolition of the Tithe System; and from the Guild of Tanners in Galway, for Provision in the Reform Bill, for the peculiar Franchise, of that place to be preserved.

TITHES (IRELAND).] Mr. *Leader* on presenting Petitions from the Landholders of the Union of Clonmethan, County of Dublin; of Inhabitants and Landowners of Rathelaren, in the County of Cork; of Parishioners of St. Patrick's, in the City of Kilkenny; and of Tithe-payers of Kells, of Danesforth, and of Burnchurch, County of Kilkenny; of Landholders of Knockmark and Culmullin, in the County of Meath, and of parishioners of Woollen Grange, in the County of Kilkenny; said, that the facts contained in these petitions, particularly the latter, deserved the serious attention of the House. When the right hon. Gentleman, the Secretary for Ireland, moved for the appointment of the Committee on Tithes, he was pleased to read a Letter from the Rev. Doctor Butler, the incumbent of the union of which this parish constituted a part, and to enlarge on the severity and hardship of his case, and the distress to which this reverend gentleman was reduced by the illegal combination of what that right hon. Gentleman termed, his unreasonable and persecuting parishioners. In reply to the statement of Doctor Butler, he begged to inform the House, that this distressed divine had been for several years the incumbent of fourteen considerable parishes, extending over thirty miles of country, lying between the cities of Kilkenny and Waterford. To prevent any suspicion that this statement was exaggerated, he had referred to the Ecclesiastical Returns, which fully bore him out in declaring, that the union of Burnchurch, of which Doctor Butler was incumbent, consisted of fourteen parishes; they were Burnchurch, Dumfert, Kilfeara, Plebestown, West Jerpoint, Ballylinch, Grangeleggan, Dunbella, Kilbree Grange, Blacknow, Molgrange, Blackrath, Rathbin, Woollen Grange. In all, fourteen parishes, in which there was but one Church and few Protestants. In Woollen Grange, the whole population were Roman Catholics, although the reverend incumbent had received from this one parish nearly 10,000*l.* during his incumbency. In it there were no ecclesiastical duties to be performed; and although in severe seasons, the landlord had lost his rent, and the tenant his labour and capital, the tithes had been invariably and uniformly collected with little diminution. The petitioners stated the amount of tithes chargeable on the parish of Woollen Grange, compared with that chargeable on the ten adjoining parishes, held under other incumbents; and it appeared by that, that Woollen Grange had paid at the rate of 5*s.* 6*d.* per acre; whilst in the ten adjoining parishes, the average on the whole did not exceed 2*s.* 4*d.* per acre. Tallow paid 2*s.* 6*d.*; Kells 2*s.* 5*d*; Dunamagin 1*s.* 11*d.*; Killemerry 1*s.*; Grove 2*s.* 1*d.*; Coolagh 2*s.* 3*d.*; Tullemain 2*s.* 11*d.*; Callan and Liberties 3*s.* 9*d.*; Thomastown 2*s.* 3*d.*; Ennisnagg 2*s.* 6*d.*; the average of which was 2*s.* 4*d.* and a fraction. The petitioners further stated, that, before the late unfortunate disturbances they applied to the reverend Dr. Butler to reduce the tithes in fair proportion with those ten adjoining parishes, and they proposed to pay him 225*l.* for this one parish, which would amount to 3*s.* 8*d.* per acre for all the land within it, whether titheable or not, which he peremptorily refused, and threatened the parishioners "to raise the tithe a pound a-year upon every man in Woollen Grange. An application was then made by the incumbent to the Irish government for aid to enforce the payment, although the composition offered, would have given him an income of 3,000*l.* a-year. The petitioners stated, that during the war the tithes of Woollen Grange were raised higher than the price of agricultural produce warranted; and that, at the termination of the war, they repeatedly called upon the incumbent to reduce the acreable charge in proportion to the prices, but could not procure more than a very inconsiderable abatement in wheat disproportionate to its present value. The petitioners further stated, that in consequence of the high rates, they were unable to pay, and they ran into arrear; and when they offered to compound these arrears by paying 13*s.* 4*d.* in the pound, the incumbent peremptorily refused to take that sum. These were the circumstances connected with the parish of Woollen Grange, and the prayers of the other petitions which he held in his hand, contained similar averments. The whole prayed that some other provision might be assigned for the support of the Established Church than the present tithe system. The petitioners complained that they felt this charge a grievous hardship, particularly in such parishes where there was neither Church, school-house, nor other charitable institution supported by a Protestant incumbent, and where they had their own clergy to support which the exactions demanded of them on account of tithes rendered them incapable of doing with the moderate degree of comfort which their station in life and useful offices of the Catholic clergy entitled them to expect. He entreated the House to recollect that there were no manufacturers in Ireland, and that land and its produce formed the sole support for the population of that country. This formed a strong argument that all burthens which pressed upon it should be reduced as much as possible.

Mr. *Blackney* supported the prayer of the petitions, and said that Dr. Butler besides his fourteen parishes, had a very large glebe, and an accumulation for thirty-five years; although he was now represented as one of those poor-starving clergymen, for whose support a grant was to be made and a land-tax levied. In one instance, a poor man who had to pay tithes to Dr. Butler, amounting to 5*l.*, and whose family were nine in number, being himself, his wife, and seven children, was obliged to sell his only cow, which supplied them with a little milk, and to sell all his potatoes, which formed their chief food. When he afterwards came to petition to receive back a little money, he asked for 1*l.* to procure a meal, and this was refused. The ultimate consequence was, that the poor man and his family were reduced to beggary, and became dependent on the good nature of some neighbouring people who supplied them with potatoes only. This rev. gentleman had contrived to live in a luxurious manner, he "fared sumptuously every day." He did not attend to the miseries of the people; he did not deign to hold converse with them, except when he wanted to force upon them a commutation of tithes, threatening to levy on them tithes as high as 1*l.* an acre. These unfortunate persons feel, most keenly, their situation, which in consequence of the heavy rates and tithes which are levied on them, has prevented them from paying their own clergyman. This Rev. gentleman's tithes were collected by two tithe proctors. One of them was a school-master, the other a tailor. They never had an acre of land of their own, and know nothing of the value of it, except what they derived from the instructions of Dr. Butler. The Rev. gentleman himself, was originally he believed, an apothecary, and had no claim to be represented as a distressed man. In addition to other advantages, he was the most successful farmer in the country; he had introduced the English mode of farming, and derived the greatest possible advantage from the adoption of that system, possessing an immense farm in a high state of cultivation. Yet this rev. gentleman was represented as a pauper. He was much misinformed if the rev. gentleman has not amassed a considerable property; and, therefore, it was extraordinary that the House should be told that 35,000*l.* or 40,000*l.* must be raised to pay him and others the arrears of tithes due to them. He hoped the people were not so simple as to allow this claim.

Mr. *Shaw* wished, when it was intended to attack individuals residing at a distance, that notice should be given of such intention, in order that the friends of those individuals might be prepared to defend them. As the hon. member for Wexford had talked of the conduct pursued on one side of the question, he (Mr. Shaw) would state, that he had seen an information sworn on Oath, which stated, that Walter Blackney, Esq., a Magistrate, had, at a meeting in Ireland, of the lower orders of the people, addressed to them, the following terms: "My friends, you are bound to fight for yourselves, and to use your shillelaghs in defence of your own rights, the tithes will be abolished in nine or ten months, and as the clergy have refused to take half, they shall then get nothing at all." Magistrates had also been known to order placards to be issued, with the words "No tithes; no union!"

Mr. *Blackney* declared, that the charge which had just been made against him by the hon. Member was unfounded, and had already been proved to be so on the Oaths of six persons to which he would add his own denial. The words imputed to him were a gross exaggeration of the sentiments he uttered at a meeting of his own parish.

Mr. *Wyse* observed, that of all the men in the House, the hon. and learned member for Dublin was the last who should accuse others of exciting the people, for he had heard of a speech made by the hon. and learned Member, which contained some such words as the following: "If the Government will not attend to our Representations, we must take up the cause ourselves," quoting, he believed, the celebrated admonition, "To your tents, O Israel."

Mr. *Shaw* rose to give the flattest contradiction to the statement of the hon. member for Tipperary that the forms of Parliament would allow. He never used the words in the sense ascribed to them by the hon. Member. He had never encouraged dissension in the country, and he had never made speeches out of doors which he would not make in that House.

Mr. *Leader* moved that the Petition from Woollen Grange be printed.

Sir *Robert Inglis* said, that seeing the Petition replete with personalities, he would certainly oppose its being printed.

Lord *Ebrington* felt it necessary also to protest against the printing the Petition.

The House divided:—Ayes 51; Noes 130—Majority 79.

List of the AYES.

Anson, Hon. Col.
Berkeley, Captain
Blackney, W.
Bodkin, J. J.
Brabazon, Viscount
Brown, J.
Bunbury, Sir H.
Burke, Sir J.
Byng, G.
Calcraft, G.
Callaghan, D.
Carew, R. S.
Cavendish, Lord
Chapman, M. L.
Dixon, J.
Doyle, Sir J. M.
Duncannon Viscount,
Gillon, W. D.
Grattan, H.
Grattan, J.
Hill, Lord A.
Hort, Sir W.
Hughes, Colonel
Hume, J.
Hunt, J.
James, W.
Jephson, C. D. O.
Killeen, Lord
Lambert, H.
Lambert, J.
Lennox, Lord G.
Macnamara, W.
Musgrave, Sir R.
O'Connell, D.
O'Connell, M.
O'Farrell, M.
Paget, T.
Phillips, Sir R. B.
Ponsonby, Hon. J.
Power, R.
Ross H.
Ruthven, E. S.
Sheil, L.
Thicknesse, R.
Walker, C. A.
Wallace, T.
Warburton, H.
Westenra, Hon. H.
White, S.
Wilbraham, G.

TELLERS.
Leader, N. P.
Wyse, T.

ST. GEORGE'S CHURCH, DUBLIN.] Mr. *Shaw*, in moving for certain papers relating to the building of St. George's Church, Dublin, begged to be permitted to remark that, several most respectable persons were, by an Act passed in 1806, appointed trustees for that purpose, but their conduct had been impugned during the last Session of Parliament by the right hon. member for Waterford, who had accused them of extravagance, misapplication of the funds, and oppression towards the rate-payers. These charges, he believed, were wholly unfounded. First, as to the charge of extravagance. The Church cost 39,000*l.*, and it was erected in the richest parish of Dublin. The contract was made, and the Estimates agreed to before the trustees received their powers. As to the charge of misapplication, it would be found equally groundless for the sum which it was said the Church cost, included interest for money borrowed to erect it, before the rates could be got in. With respect to the charge of oppression, the persons complaining were those who were endeavouring to evade the payment of their rates. He had no doubt he should fully establish these facts, and he, therefore, begged leave to move for a copy of a circular letter addressed by the trustees for the building of the parish Church of St. George, in the county of Dublin, to the Committee of the said parish, in the month of January, 1813. Also, such extracts from the Vestry book of the said parish as relate to the application to Parliament for a further sum of 8,500*l.* towards the building of the said Church in the year 1813.

Mr. *Crampton* regretted the Motion should have been brought forward in the absence of the right hon. member for Waterford, who had taken so much interest in the subject. He had not understood that right hon. Gentleman had made any other charge against the trustees than that he was of opinion the public money had been wastefully expended. The allegations of the two parties appeared to be directly at variance. He could give no decisive opinion on the subject, and had no objection to the production of the papers.

Mr. *O'Connell* trusted the right hon. member for Waterford would move for the appointment of a Select Committee, to examine the papers, and, he had no doubt, that the result would prove that there had been a gross job in the erection of this Church. Independent of the parishioners being called upon to pay more than was necessary, it must also be remembered that many of them were of a different persuasion which much aggravated the grievance.

Mr. *Henry Grattan* said, among the expenses would be found 800 guineas for an organ, and to shew the feeling of the Catholics where the clergy did their duty he wished to mention, that as the curate of the Church, in question, received from his rector only 100 guineas a year, the parishioners including Catholics, agreed to pay him another 100.

Mr. *Shaw* said, he could affirm that no clergyman could be more respected than the rector of St. George's, and that the insinuation intended to be cast against him by the hon. Gentleman of not sufficiently paying his curates was unfounded.

Motion agreed to.

CORONERS.] Mr. *Cripps* rose in pursuance of the notice he had given to move for leave to bring in a Bill to regulate the elections of Coroners for counties. The expense, the disorder, and the enmity occasioned by the elections of Coroners were more than those occasioned by the elections of Members of Parliament. He thought that all these evils arose from the statutes that had been passed on this subject. These statutes, of which there was a considerable number, extended over a great many years, the earliest of them having been passed so long ago as the 28th of Edward 3rd. The number of the voters was much too considerable, as the present laws placed the standard of qualification at a very low point, and enabled many to vote who could scarcely be supposed capable of judging of the fitness of any man for the office. He proposed by this Bill that the Magistrates in Sessions should be enabled to divide a county into as many districts as there were Coroners for the county, that the right of electing these Coroners should be co-extensive with the right of voting for Members for the county, let that right be what it might; that each Coroner should reside in the district for which he was elected, and that the election of a Coroner for a particular district should take place in that district itself. The hon. Member moved for leave to bring in a Bill to carry these objects into effect.

Mr. *Littleton* seconded the Motion, and observed, that the county which he had the honour to represent, had lately been the scene of a severe contest for the place of Coroner, and he knew it to be the wish of the Magistrates of that county that something of this nature should be submitted to Parliament.

Mr. *Hume* recommended the hon. Member to make his Bill repeal all the existing Statutes and then consolidate such of their provisions as it was desirable to retain. He suggested also, that some check ought to be put upon the misconduct of Coroners in the discharge of their official duties.

Leave given.

DIVISION OF COUNTIES.] Lord *John Russell* moved for leave to bring in a Bill to settle the limits and boundaries of counties. He should not occupy much of the time of the House in stating the nature of this Bill, because the discussion at present would be useless, as the Reports on which the Bill was founded were already on the Table, and contained a better explanation of what was proposed to be done than he could pretend to lay before the House in any speech of his. When the former Bill for the Reform of the Representation was before this House, Commissioners were sent to ascertain the boundaries of counties, with a view to the division of them, and to settle the limits of cities and boroughs. When that Bill was rejected in the other House of Parliament, it was determined that these Commissioners should not themselves settle the boundaries, but that use should be made of the information which they had collected, and that the Government should propose a measure founded upon it. The persons employed in this task were twenty gentlemen, part of those who had been mentioned when the former Bill was under discussion, who had not only exhibited a high degree of industry and zeal, but a degree of ability, which proved that no better men could have been selected for this very arduous and important duty. When a certain number of their Reports had been made, they were taken into consideration by Government, and general rules were given to the Commissioners, to which they were desired to make their Reports conform. The Reports, after being made conformable to these rules, were submitted by Government to the revision of three gentlemen, who were desired to arrange them, as far as it was possible, into different classes, and to give to each borough that particular kind of boundary which properly belonged to it, according to the class in which it was placed. The persons to whom this task had been assigned were his hon. friend (Mr. Littleton), the member for Staffordshire, Captain Beaufort, whose name was well-known throughout Europe, and Lieutenant Drummond. These Gentlemen were also informed, that it was the opinion of Government, on considering the Reports already presented, that, with respect to boroughs containing less than 300 10*l.* houses, it would be advisable to take in the parish, where it did not extend beyond four miles from the centre of the town or borough; and that where there were separate parishes, it was also thought advisable to take in such parishes adjoining on different sides, provided they did not extend beyond the space of four miles; but in no case to draw a line adding to any borough a separate town with a separate boundary. Before this rule was adopted, different Reports were made on different principles, some advising that a certain circuit should be added to the boroughs; and others pointing out a town, five, six, or seven miles distant, which they proposed should be joined to a particular borough. It was thought advisable to take one of these modes, and not deal with this borough by one rule, and with that borough by another; and the Government came to the conclusion that it would be more satisfactory, upon the whole, to the boroughs, to have joined with them the country immediately close upon their own boundaries, than to connect them with separate towns, between which and themselves it was most likely that rivalries and jealousies would prevent the existence of any sort of harmony in the exercise of the elective franchise. With respect to boroughs containing more than 300 10*l.* houses, but not a great many more—say between 300 and 500—a similar course had, to a certain extent, been pursued. Less objection was felt to adding a part or the whole of the parish in the which the borough was situated, provided it did not go beyond a certain distance, and the ancient boundaries of the borough did not seem to be suitable. But in all cases in which the boundaries of the old boroughs were ample and sufficient, and where there was no part of the town adjoining to the boroughs which ought fairly to be added to them, it was thought better to take the ancient boundaries, rather than to disturb them for the purpose of adding a small number of houses. There were certainly some exceptions to these rules, for it was impossible for the Commissioners not to take into consideration the peculiar circumstances of each borough, by which they might be enabled to judge whether a particular part of the adjoining town was, or was not, intimately connected with the industry of the borough. All these circumstances were, however, fully stated in the Report which had been sent in by the three gentlemen to whom he had alluded. With respect to counties, the object first contemplated was, to divide them, if possible, into two portions of equal extent, as regarded the population and the number of voters; but it was found, in several instances, that this object could not be attained without altering the old boundaries of hundreds, and other ancient divisions of the counties. It was, therefore, thought more advisable in many counties to make the hundreds, which were usually considered the northern hundreds, one division, and the southern hundreds another division, than to draw an arbitrary line across the hundreds, for the purpose of making an exact division. At the same time, however, the number of persons qualified to serve on Juries would afford some criterion to judge between the two separate portions of the counties. It was impossible to ascertain what the exact number of voters would be according to the new franchise of the Reform Bill; but that would be equally difficult to discover if the old right of voting remained undisturbed. The extent and population, however, of each division was so great, that no fear need be entertained of its independence. He should not trespass further than to say, that having so great a task imposed on them as to settle the limits of 247 boroughs, and to visit a great number of others with the purpose of ascertaining their extent with respect to their disfranchisement, these gentlemen had performed their labour in a manner that reflected the highest credit on them, and that he believed would be found to entitle them to the thanks of Parliament. The Government, at least, felt that it was impossible to have been better served. A number of different persons, selected from various professions, had been united in one common bond of zeal and attention in the performance of a task which they had performed to the advantage of the public service, and in a manner worthy of their own reputation. There was one thing that had often been mentioned in the discussions of the Reform Bill, which was, the question, whether certain individuals would gain or lose in political power by the settling of these limits? That question had either never come under the consideration of the Commissioners, or had been utterly disregarded by them. They had not considered whether a certain division would add to, or diminish the political influence of any individual or party, but whether the place under their consideration could form such a constituency as the Reform Bill required. Having made these observations, he should move for leave to bring in a Bill to settle and describe the divisions of counties, and the limits of cities and boroughs, in England and Wales, in so far as respects the elections of Members to serve in Parliament, leaving the House to obtain full knowledge of its provisions and objects from the papers already on the Table.

Mr. *Goulburn* agreed with the noble Lord, that this was not the time to go into a discussion of the details of this Bill. He had no doubt that the Gentleman to whom the Government intrusted the preparing of the report, which formed the ground work of it, had acted with the strictest propriety; but, from the very nature of their employment, it was obvious that the mode in which they performed their duties was open to animadversion. He trusted, therefore, that they would not suppose that those who took part in the discussion on this measure, or who thought it their duty to comment upon the manner in which the work had been performed, intended to impute to them that they had been actuated by improper motives. He had no doubt those Gentlemen had been anxious to act with the utmost impartiality, and with an entire absence of party feelings. He thought it due to say so much with regard to these Gentlemen, and, at the same time, to claim for those who might doubt the accuracy of their report, the credit that, in the observations which would be made, nothing like personal considerations might be taken into account.

Sir *Edward Sugden* trusted, that ample time would be allowed for the consideration of this Bill, as it was a measure of the utmost importance. He would take that opportunity of suggesting that steps should be taken to secure a knowledge of the present boundaries. The House must be aware that some of the most important causes that come into a court of justice, related to the boundaries of cities and boroughs, and, therefore, it was of consequence that some record of these boroughs should be preserved.

Leave given, and Bill brought in.

Military Punishments.] Mr. *Hunt* rose to move for the production of some Returns relative to the number of Military Punishments inflicted during the last year. He had mentioned the subject last night to the new Secretary at War, who, he regretted to find, was not in his place. He, in the first instance, wished to have the return confined to the regiments of guards, but that right hon. Gentleman said, such a return would appear invidious, and therefore at his suggestion, he proposed to extend the returns to all the regiments in the service. The right hon. Gentleman said, that he had no objection to produce the papers, but he wished the matter to be discussed in the House. If there should be any opposition to his Motion, which he did not anticipate, he trusted that those hon. Members who were opposed to the infliction of punishment on the slaves in the West Indies would come forward and endeavour to prevent the continuance of the revolting practice of flogging in the British army. He did not know that this species of punishment could be done away with when the troops were on foreign service in time of war; but, it was too much that such a practice should be continued in times of peace. Accounts were continually published in the newspapers of the infliction of this degrading punishment, and, within the last few days, there was an account of the flogging of three soldiers of the Scotch Fusileer Guards. The statement he alluded to appeared in a respectable Sunday paper, and it affirmed that one of the men, namely, John Hill, was cut on the back until the blood ran down into his shoes, and he was taken to the hospital in the most lamentable condition. He recollected reading a speech made, relative to the flogging of soldiers, by the right hon. Baronet the Secretary at War, in which he alluded to such punishments as a disgrace to the country. The right hon. Baronet stated, that several of the inhabitants of Birdcage Walk had been compelled to leave their houses in consequence of the flogging of the soldiers, and that the drums were beaten to drown the cries of the soldiers He regretted that the hon. Baronet was not present to support his Motion, but he did hope the right hon. Baronet would use his endeavours to put a stop to the system complained of. He was happy to learn, that no flogging could now be inflicted, except by the sentence of a Court-martial. They heard, however, of men being sentenced to receive 500 lashes, which was a greater punishment than a man could bear. He understood, therefore, when it was inflicted, that a surgeon stood by, and when he saw the man was sinking, he directed the executioner to stop. A case was stated in the newspapers, a few days ago, of a man having received 200 lashes, who fainted, and was conveyed to the hospital. He knew a great many military officers, who stated, that punishment of this sort was quite unnecessary in the army, and that it might safely be put an end to. He trusted, therefore, that the present liberal Government would put a stop to this most inhuman custom, and as a first step to which, they would grant him the papers he now moved for. His Motion was, "that there be laid before this House a return of the number of Courts-martial held upon private soldiers of the army in Great Britain and Ireland, between the 1st day of January, 1831, and the 1st day of January, 1832, stating the several charges upon which each individual was tried, and the sentences passed; specifying the number of lashes of the cat-o'-nine tails which each person has actually endured.

Mr. *Hume* seconded the Motion. He had repeatedly attempted to get a return of this nature, but hitherto without success. He hoped that it would have the effect which the hon. Member anticipated, and would lead to the putting a stop to a practice which was disgraceful to the country. He knew nothing that tended to sink a man so much in his own estimation, and was such a moral degradation, as military flogging. Flogging had been already advantageously abolished in several regiments; and he had no doubt that the service could be carried on fully as well without it.

Lord *Althorp* was extremely sorry that his right hon. friend, the Seretary at War, was not in his place. He had been present in the course of the evening, but probably, not anticipating that the Motion of the hon. Member would come on so early, had left the House for a short time. He must be permitted to say for himself, that he regretted as much as any man the infliction of corporal punishment; but he was afraid that it was impossible for the Government to consent, whatever displeasure the declaration might excite, to its total abolition in the army. He had lately had many communications from military men on the subject, and they agreed on that point; but, at the same time, he was happy to say, that the practice of flogging was much diminished, although it was found impossible in all cases, to substitute for it a more efficient punishment, and one which would tend more to prevent the commission of offences. With respect to the Motion of the hon. Member for papers, he could only say, it was one which the House had never acceded to in former years, and as there was nothing at the present time which demanded peculiar attention, nor, as the hon. Member had admitted, any extraordinary grounds for his Motion, he must resist it.

Mr. *Hunt* observed, that, with a Secretary at War pledged by many speeches and declarations, in and out of the House, to a reformation of this abuse in the army, and under a liberal and reforming Administration, he certainly had not expected any opposition to his Motion. The noble Lord said, that the punishments had diminished—why, then, did he refuse the papers which would satisfy the public that it was so? He did not wish to accuse the noble Lord of inconsistency, or to make any offensive allusion to the former votes and motions of the noble Lord; but this he would say, that when Gentlemen went from one side of the House to the other, they changed their opinions; and after advocating measures when out of office they would not support them when they obtained power.

Mr. *Jephson* was surprised that the noble Lord should object to the Motion when he must know, if he had the diminution of military punishment at heart, that nothing would be so effectual a check upon that system as the publicity of the sentences which ordered the infliction.

Mr. *Sheil* said, that if the abolition of the punishment of flogging was the question at issue, he could understand the noble Lord's objection: but when the Motion was merely for the production of papers, in order to ascertain if the practice was diminishing, he felt called on to support it.

The House divided on the Motion: Ayes 28; Noes 61—Majority 33.

List of the NOES.

Adams, C.
Agnew, Sir A.
Althorp, Lord
Antrobus, G. C.
Bankes, W.
Baring, Sir T.
Bentinck, Lord G.
Bouverie, Hon. D.
Byng, Sir G.
Calvert, N.
Campbell, J.
Carew, R. S.
Clinton, F.
Clive, Hon. R.
Creevey, T.
Currie, J.
Denman, Sir T.
Doyle, Sir M.
Drake, T. T.
Drake, W. T.
Ebrington, Viscount
Estcourt, T. B.
Gilbert, D.
Goulburn, Rt. Hon. H.
Graham, Rt. Hon. Sir J.
Grant, Sir C.
Horne, Sir W.
Hoskins, K.
Howard, P.
Johnston, A.
Johnstone, J. J. H.
Jones, T.
Lamb, Hon. G.
Lefevre, C. F.
Lester, R.
Marjoribanks, S.
Mangles, J.
Mackenzie, J.
Murray, Sir G.
Macdonald, Sir J.
Penleaze, S.
Poyntz, S.
Paget, Sir C.
Pendarves, E. W.
Petit, L. H.
Pusey, P.
Russell, Lord J.
Russell, Col. F.
Sebright, Sir J.
Smith, S.
Stanley, Rt. Hn. E. G. S.
Stephenson, H. F.
Schonswar, G.
Townshend, Hon. H.
Truby, C. H.
Wall, C. B.
Watson, Hon. R.
Wetherell, Sir C.

Williams, Sir J. H.
Williams, W. A.
Wrottesley, Sir J.

TELLERS.
Baring, F.
Bernal, R.

List of the AYES.

Blake, Sir F.
Briscoe, J. I.
Dixon, J.
Evans, W.
Ewart, W.
Fergusson, R. C.
Gisborne, T.
Godson, R.
Hawkins, J. H.
Heywood, B.
James, W.
Jephson, C. D. O.
Jones, J.
Lambert, H.
Leader, N. P.
Mullins F.
Paget, T.
Sanford, A.
Sheil, L.
Strutt, E.
Stuart, Lord D.
Stewart, C.
Venables, Alderman
Walker, C. A.
Wason, R.
Wood, Alderman
Yorke, J.

TELLERS.
Hume, J.
Hunt, H.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—THIRTEENTH DAY.] On the Motion of Lord Althorp, the House resolved itself into a Committee on the Reform of Parliament (England) Bill.

The Chairman having read Clause 69,

Lord *Althorp* moved the introduction of certain words, declaring, that the expense of polling booths for elections in counties should not exceed 40*l.* each, and the expense of polling booths for cities and boroughs should not exceed 25*l.* each.

Amendment agreed to. And clause agreed to.

Clauses 70, 71, and 72, were severally read, and agreed to.

Clause 73 being read, which enacts that all laws, statutes, and usages, now in force respecting elections should be and remain in full force, except so far as they are altered or repealed by the present Act,

Mr. *Godson* thought it would be better to postpone the passing of the clause, as it would leave the old and new election laws in concurrent operation, and thus prove the source of endless legal controversies. He was of opinion, that, in framing this part of the Bill, the laws on the subject already in existence, and the customs of boroughs, should be carefully considered, for if they clashed, they might, in many instances, cause great inconvenience.

The *Attorney General* could not conceive that his learned friend was serious in expressing his opinion, nor could he imagine what purpose would be served by entering into a discussion of all existing election laws, and how all the boroughs of England would be affected by the Bill. If such were to be the preliminary proceedings, the measure would never be carried.

Sir *Edward Sugden* said, it was impossible to ascertain what was to be the law of elections out of the Act of Parliament now before the House. Had the proper course been taken, all the existing election laws would have been condensed in a single statute, so as to have dove-tailed in with the Bill. The state of uncertainty would cause, in many instances, considerable expense and inconvenience, which, he was satisfied, the promoters of the Bill would find to their cost.

Lord *Althorp* would not undertake to say, that the Bill had been compared with the existing election laws, but it was drawn up by a Gentleman of great experience in that department of legal information.

Sir *Charles Wetherell* maintained, that the clause was sheer nonsense; it did not declare what was to remain, nor what was to be abrogated. The uncertainty would create expense in the administration of the law, and candidates would frequently have to petition that House, in order to ascertain what was left of the old law and usages.

The *Attorney General* said, the clause was introduced in conformity with the established custom, which was, to declare that, when no alteration was specifically made, the old law and customs prevailed.

Mr. *Serjeant Wilde* thought, that the clause would have escaped censure. The law consisted partly of statute law, and partly of usage; and it had been usual, in making alterations of the law, to introduce into the Act making these alterations a declaration of their limit. In the 6th George 4th, called the Bankrupt Act, which had been particularly eulogized by the Earl of Eldon, there was a section similar to this, declaring that all usages and laws relating to bankrupts' estates should remain in force, except they were specifically altered by such Act. He concurred in the observation of the hon. and learned member for St. Mawe's, that it would be convenient to have all the election laws brought into one Statute, but that was a matter of convenience independent of this Act of Parliament. It was not proposed to collect the several Acts of Parliament which regulate elections; neither was it pretended to alter the course of elections in existing boroughs; nor was it proposed, specifically, to enact the continuance of those general usages which prevail in all elections. The clause provided, that all local usages should continue to prevail in the boroughs where they exist, and that election usages, which are universal shall apply to all those places which are to return Members under this Act. The case of St. Giles's had been referred to, and it had been asked, how this clause would apply to an election there? Why, the Sheriff would proceed, in such cases, to the election, observing all the Statute laws, and also the usual forms which prevail at elections. If an individual objected to any of these forms or observances, according to the Statute, he would have to point out, in this Act, the clause which altered it, or with which it was inconsistent. As to the inquiry into the usages of each particular borough, in order to ascertain whether the Legislature should or should not repeal them, it would be interminable and useless.

Clause agreed to.

On the 74th Clause being put from the Chair, which imposes a penalty, not exceeding 500*l.*, upon any Overseer, Parish-officer, or Barrister, transgressing the provisions of this Bill,

Mr. *James L. Knight* said, that the penalty ought to be more accurately defined than it was in this clause. As the Bill stood at present, a Barrister was liable to a three-fold punishment. First of all, he might be indicted for misdemeanour, as disobedience to an Act of Parliament was in itself a misdemeanour; next, he was liable to an action for a penalty of 500*l.*, at the suit of any beggar who chose to bring such action; and thirdly, he was liable to an action for damages at the suit of any party who was injured by his misconduct.

Sir *Charles Wetherell* agreed with his hon. and learned friend, that a Barrister might reap a harvest of actions from the effects of this clause, for every man, whether he lost a vote or not by his decision, might bring an action to recover the penalty on account of alleged damages done to another by the deprivation of his civil rights. The only parties who could suffer wrong from his decision would be, either the candidate or the voter, and to these parties ought the remedy to be limited. But he had another objection to the clause. He feared that party acrimony would intrude into the Courts of Justice through its operation, and the power given to a Jury to inflict a fine would serve as a premium to create political contests in such places. The Barristers, by the clause, were to exercise the powers of Judges, without the protection that ought to be given them in that character; on that ground he held it to be degrading to the Bar, and would resist it to the uttermost.

The *Attorney General* observed, that the hon. and learned Member laboured under a mistake when he expressed his opinion that the Judges were not liable to actions at the suit of an individual aggrieved by their decisions, because the hon. and learned Gentleman could not have forgotten the fact, that the Judges were liable to actions in cases where they refused to grant a writ of Habeas Corpus, or to sign a bill of exceptions properly and legitimately tendered to them. Could it be contended, then, that the Barristers to be appointed to act judicially under the Bill would be degraded by being held, under the clause now before the House, amenable to the law, in case they were proved wilfully to have contravened those very provisions in the law to execute which the Act intrusted them? As to the objections of the hon. and learned Member that the fine to be levied rested on the decision of the Jury, that was done to enable them to apportion the damages according to their opinion of the enormity of the offence, and he saw no reason why Juries should be prejudiced in these cases more than in any other. He would allow that informers might bring actions, but they could not follow them up, nor convict the Barrister without entering into a conspiracy for that purpose, which was not very likely to be the case.

Sir *Edward Sugden* said, the clause, as it stood, was intended to guard against corruption, which it did not. He was chagrined to see a clause like the present introduced, which cast a stigma upon the entire Bar of the country—a country in which the administrators of the law—the Judges—formed the purest body of men in the civilized world. Before the House gave its consent to the present clause, it ought to pause, for, by consenting, it would introduce into the Bill a precautionary enactment, by which the integrity and character of the Judges of the land were called into question. He felt distinctly opposed to affix any penalty upon a Judge acting judicially, and he thought it was too much to apply this clause with all its powers to those inexperienced Barristers (for such he would call them) who would necessarily be employed, and who were young in the profession, and, of course, not good lawyers: it was a clause which put it in the power of any pauper to sue these gentlemen for penalties. The clause was a species of trap to the junior members of the profession, under which they would be made liable to actions for the non-observance of the slightest—nay, most inconsiderable—point in the duties intrusted to them in the Bill. It was impossible, that during the warmth of an election, the Barrister could please all parties, and this was very effectually opening the door for the disappointed parties to express their indignation.

Lord *Althorp* said, in consequence of the objections which had been offered, he was disposed to agree to the introduction of an Amendment into the clause by which the Judge should have the power to stay the trial, should an action be brought against the Barristers, by any party save those who might feel themselves aggrieved by his determination or decision.

Mr. *C. W. Wynn* was opposed most strongly to power being given to a Jury to assess damages or award penalties against the Barristers under this Bill. Hitherto it had been held, that the duty of a Jury on an indictment was to determine the question of guilt or innocence, the power of awarding punishment being left to the Judge. He was aware that an action might be brought against a Sheriff, and that he might be subjected to double costs and damages, but that was a civil action, and, therefore, was wholly different in character from allowing Juries to assess the amount of a penalty payable to the Crown. The Judges on circuit had the power of appointing the Barristers, and to those Judges ought to be reserved the power to assess or award penalties for wilful misconduct in the discharge of their duties.

Mr. *O'Connell* supported the clause as one of the most useful accessions to the Bill. The clause did not authorize punishment for a mistaken administration, but for a wilful contravention of the law. The clause was as valuable in form as it was in substance, and avoided the many technical objections which could be raised, as every hon. and learned Member was aware, to actions on the case which frequently led to a nonsuit; instead of which, the clause made the action simply one for a debt, and the Jury was the proper tribunal to assess the damages. From the frequent experience he had himself had in Ireland at elections he was induced to hope the Government would adhere to the clause as it stood, which would be some control over the conduct of Assistant Barristers and Assessors at elections.

Mr. *Burge* said, that in all cases it was a principle of English law that to the Jury was assigned the duty of deciding on the guilt of the party brought before them, and for the Judge to fix the amount of the penalty to which their verdict rendered him liable.

Lord *John Russell* said, one penalty or action would not be sufficient to reach the various faults which might be committed by the Barrister. It was quite obvious that responsibility should rest somewhere, and this clause, giving a power to the Jurors to inforce the fine, was necessary, as, in a previous clause, the appointment of the Barristers was vested wholly in the Judges. He should not, however, have any objection to introduce words to prevent any other parties but those actually aggrieved recovering the penalties.

Sir *Charles Wetherell* said, the words he would propose to introduce were, "Provided that no action shall be brought by any person except by a candidate or an elector, or a person claiming to be an elector, and having an interest in respect of such action." This would exclude all common informers, and persons having no interest in the matter.

Mr. *C. W. Wynn* thought, the voter should be left to bring his action for damages, instead of a definite penalty being affixed, and, in this case, it was also much too large a sum. No act that could be committed under the clause deserved so heavy a penalty, and yet the Barrister might be liable to it at the suit of every voter.

Mr. *John Campbell* justified the limitation placed to the power of Juries, and also the giving them power to impose a penalty at discretion between *5l.* and *500l.* for the benefit of the party aggrieved. The grievance might be caused by party feelings, and by mere inadvertence.

The *Attorney General* thought the pecuniary damage and the wrong together, ought to form the estimate of the sum to be given, and it should be left open to the Jury to decide both on the pecuniary damage and the spirit in which it was inflicted.

The Amendment agreed to.

Sir *Charles Wetherell* then moved the addition of a proviso, that parties who were, at common law, entitled should not be deprived of their right to recover under this Act in cases of false returns, or other grievance recognized by common law. Unless some such provision was introduced, the responsibility of the Sheriff would be diminished.

Lord *Althorp* said, he had no objection to the Amendment or proviso, if it were considered by legal gentlemen necessary to preserve these rights, as established by common law.

The proviso was agreed to.

The blank imposing the penalty was then filled up with 500*l.*

On the question, "That this clause as amended stand part of the Bill,"

Sir *Edward Sugden* said, he must enter his decided protest against it. He did hope that the Committee would have paused in their career before they passed such a penal clause, which, he considered, would cast a stigma upon the profession to which he had the honour to belong.

Clause agreed to.

The 75th, 76th, and 77th Clauses, were struck out as unnecessary.

On the 78th Clause being read, which enacts that all writs, mandates, precepts, instruments, proceedings, and notices, shall be framed and expressed in such manner and form as may be necessary for carrying the provisions of this Act into effect,

Sir *Charles Wetherell* moved, as an Amendment, the substitution of the following:—"That all writs, precepts, and other instruments, shall be made out in the manner and form prescribed by law."

The *Attorney General* asked, why this alteration was necessary? It might be requisite to change the form of an instrument under this Act.

Sir *Edward Sugden* said, he must support the Amendment, which he thought an improvement in the clause, but he should prefer that the clause itself should be omitted altogether.

The *Solicitor General* said, the clause was a material part of the Bill, as directing the mode of carrying into effect the various alterations that had been made in the Bill in the return of Members.

Amendment negatived.

Sir *Edward Sugden* observed, that, in the majority of cases like the present, it appeared that all argument was completely thrown away, if hon. Members who had absented themselves from the discussion rushed into the House to be present at the division, on a question they had not heard debated, just as if they were prepared to vote any way with his Majesty's Ministers. ["*no, no!*"] He should like to ask that hon. Member who cried "No!" where he had been during the debate? It was right that persons out of doors should see how this question was carried on here. He strongly deprecated the practice, on such an important question as this, of Members rushing into the House to divide, not one of whom had heard the debate. He thought hon. Members should at least have the decency to listen to the arguments by which they were predetermined not to be convinced. It appeared, however, that they considered themselves not bound to hear, but at liberty to vote.

Sir *John Hobhouse* was at a loss to understand the cause of the hon. and learned Gentleman's warmth. There had been, if not a very full, a very respectable audience, during the discussion of the clause; and great attention had been paid to the observations which the hon. and learned Gentleman had made respecting it. What was most surprising in the case was, that the censure of the hon. and learned Gentleman fell on Members who were distinguished by their habits of regular attendance. There was the hon. member for Taunton—no Member of the Opposition side of the House was more steady in his adherence to their benches; and yet that hon. Gentleman had entered only about five minutes before the hon. and learned Member's exhortation. And was the right hon. member for Tamworth to be charged with inattention to this important discussion, because he was not present when the question was put from the Chair? Those hon. Members, however, who were not present, would scarcely need to apologize to their constituents for their absence. For he could assure the hon. and learned Gentleman that there were many persons in the country who believed that the discussions which were got up on the measure under the consideration of the House had no very fair object. Were Gentlemen to be charged with habitual disregard of the debates of the House, and inattention to the learned Gentleman, because they did not happen to be present at a particular moment? Certainly not; and, indeed, they who were not present had, in his opinion, a good excuse, both before the House and the country, for their absence. There were certain Gentlemen who, in the progress of this Bill, had recourse to a great deal of what might be called unimportant discussion, obviously for no other purpose but to retard its progress. One hour and a half had already been occupied in listening (with a silence which must have been highly flattering) to the arguments of the learned Gentlemen. How did the learned Gentleman know that the crowd did not come to hear him? for, at the moment he rose, those Gentlemen did enter the House. What he (Sir J. Hobhouse) especially protested against, however, was, that it should go forth to the country that what had just occurred was a novel practice in that House; that it was only on this occasion that the appearance of proceeding to a division had occasioned a crowd of Members to enter the House. Unfortunately—if it could be called unfortunately—such had been the practice of Parliament ever since he had known it. The numbers were always mustered just previous to a division. If ever there was a question upon which Members could be excused for having made up their minds, it was a great question like the present. In vain did the hon. and learned Gentleman and his friends appeal to the country on the question of Parliamentary Reform. On that question the country had completely made up its mind. He did not mean to deny that those who were hostile to the Bill were conscientious in their opposition; but he maintained that their opposition was in vain. The country well knew that, in such circumstances, the great majority of the House must give some credit to his Majesty's Government, and to the authors and supporters of the Bill; and the country must also feel, that when an hour and a half had been expended in the discussion of clauses acknowledged to be not very important, it was rather too much to hook upon so unimportant a question a charge against the majority of that House, for that which had long been a practice; and which, if ever excusable, was so in the present instance.

Sir *Charles Wetherell* observed, that the right hon. Secretary at War, in his first appearance in that character, had thought proper to read a lecture to the Opposition side of the House. The right hon. Baronet had told them, that they did not know what they were about. The appearance of the right hon. Baronet just now was fortunate for his party; but how did it happen that the right hon. Baronet was absent when the question respecting flogging the army was under consideration? *Sutor ad crepidam.* Let the Secretary at War deal with military matters. Let those who were dealing with a great constitutional question be supposed to know what they were doing. The right hon. Baronet said, that they had been wasting the last hour and a half in discussion.—[Sir. J. Hobhouse, denied that he had used the word "wasting."]—Well, then, the right hon. Baronet had insinuated—no man was more classical or more correct in his language than the right hon. Baronet—the right hon. Baronet had insinuated that he (Sir C. Wetherell), and those who thought with him, had unprofitably employed the last hour and a half. The question under discussion was, whether, by this remodelling Bill, there should be a remodelled Parliament, which should no longer be the King's Parliament, but the Parliament of any party who chose to issue the writs? His party were endeavouring to preserve the Parliament as the King's Parliament, and not as a Parliament by an Act of the Legislature merely; or, in other words, the Parliament should be part and parcel of the Constitution of this realm, and not a Parliament made and created by the House of Commons. That was the important principle which had appeared to him to be involved in this clause, and the object of his argument was, to mark that principle, by providing that the form and mode of the new election should correspond entirely with the form and mode of the old elections. The right hon. Gentleman said, the country had made up its mind: be it so—that the country would have the Bill: be that so;—that the country were agreed upon a large measure of Reform: be that so. He did not dispute the right hon. Gentleman's premises; but still that was no reason why the machinery of the Bill should not be as perfect as possible. There never was, in the whole history of the discussion of this Reform Bill, a period more inopportune, a time worse chosen, an opportunity less auspicious, than the present for the right hon. Gentleman to give the House a lecture; for it was only that night that an amendment from the Opposition side of the House had been admitted by the noble Lord opposite, who said, "undoubtedly the clause has gone too far, and we will adopt the proposed Amendment." Was that hour and a half unprofitably employed, then? The noble Lord, the Paymaster of the Forces, and the noble Lord, the Chancellor of the Exchequer, were both persuaded that the clause, in its original shape, might be carried to an improper length, and, therefore, they adopted the Amendment. Did the Secretary at War mean to apply his sarcasm to this clause? If he did, his right hon. and noble colleagues were great sharers in that sarcasm—it applied, indeed, to them; for the Amendment proposed was adopted by them, not as a light and superficial one, but as one which was in every way proper to be adopted. It was under these circumstances that the Secretary at War came amongst them. No doubt he would give his Majesty's Ministers his able assistance: they wanted persons of his ability to assist them in many parts of this Bill; they stood in need of persons capable of giving explanations upon its various clauses; and he (Sir Charles Wetherell), therefore, looked forward to the effective co-operation of their right hon. colleague, the Secretary at War. However, the right hon. Gentleman had given the Opposition a bitter flogging, he would not call it a military flogging, but certainly the right hon. Secretary had exercised his cat-o'-nine-tails in a manner quite uncalled for.

Sir *John Hobhouse* had not meant to make an attack upon any one; indeed the discussion did not originate with him. The hon. and learned member for St. Mawe's thought fit to attack those Gentlemen who were absent, when he was addressing the House, and he (Sir John Hobhouse) merely observed, that the right hon. member for Tamworth was also absent, and was, therefore, equally subject to the lecture which the hon. and learned Gentleman had thought fit to give. The hon. Gentleman almost charged those who had voted, and had not listened to his speech, with having been guilty of treason against the people; whilst he only stated, that the House and the country had made up their minds to have the Bill, and were not to be driven from it by a speech of the hon. Gentleman. This he was justified in saying in vindication of those who voted, but who had not heard the speech of the hon. Gentleman. He was not in the habit of making personal attacks. With respect to his absence, in the early part of the evening, an apology was due to the House, and also to his noble friend, the Chancellor of the Exchequer. He had been present all the early part of the evening, and he went away for about three quarters of an hour, not anticipating that the question relative to military flogging would have come on at so early an hour. It was not altogether fair in the hon. member for Preston to make an attack on him during his absence. On the abstract question he had not changed his opinion, and he entertained as strong objections to the practice of flogging in the army now, he was in office, as when out of office. Whether in office or not, his opinions were not likely to change. If he had been present, he certainly should have adopted the course pursued by his noble friend. The grounds of opposition to the Motion of the hon. Member had no reference to the abstract question, but only alluded to the particular question he brought forward as to returns. The hon. Member stated no good reasons for furnishing these returns, and, therefore, in conformity with the previous practice of this House, they were refused. He should regret having said anything calculated to give pain to the hon. and learned Gentleman, but he had as good a hearing as most Members had had during the discussions in the Committee; and the observations he made in consequence of a few Members appearing in the Gallery immediately before the call for a division, were more severe than the circumstances of the case warranted.

Sir *Edward Sugden* should be extremely sorry if he had exhibited any symptoms of anger at hon. Gentlemen voting without having heard his speech. He had no feeling of the sort. He had no reason to complain of a want of attention on the part of the House; on the contrary, he had to thank hon. Gentlemen for the attention with which they had listened to him that night, as on former occasions. A sense of duty influenced him in making the observations respecting the clause. He did not offer opposition merely with a view to delay the Bill.

Mr. *Hunt* very much regretted that the

right hon. Secretary at War was absent when he brought forward his Motion, as, perhaps, he would have given some satisfactory reasons for withholding the information he had applied for: certainly, the noble Lord stated no grounds for opposing his Motion. He did not accuse the right hon. Gentleman of intentionally being absent, but regretted that he was not present. The right hon. Gentleman said, that the hon. and learned member for St. Mawe's was tolerably well heard: now, although, he had good ears, and was sitting close to him, he could hardly hear a word that he said during the whole of his speech. But when the Chairman put the question, and desired strangers to withdraw for the division, he heard a great noise; and on looking round he was surprised to perceive that it was occasioned by the influx of a great number of Members, who were rushing into the division. He had been unable to hear the speech of the hon. and learned Gentleman, and, therefore, had refused to vote.

Clause agreed to, as was also Clause 79, which confirms the privileges of the Universities of Oxford and Cambridge.

Clause 80 read.

Mr. *C. W. Wynn* begged to ask the noble Lord, whether the expense of postage was to be paid by the Overseer or the parish, if by the former, he might refuse to take in the letters, and, by such means, many persons might lose their votes. And again, how was it to be proved that letters claiming the franchise had been duly forwarded, or received? a man might declare that he had given notice through the post, and the Overseer might deny receiving the letter.

Lord *Althorp* said, in reply to his right hon. friend, that the expense of postage was included in the general expenses, and was chargeable to the parish, the post, was considered, in other respects, as conveying a legal notice. There were very few instances of the miscarriage of letters.

Clause agreed to.

The House resumed. Committee to sit again.

CHOLERA MORBUS—MEASURES OF PRECAUTION—SCOTLAND.] The House in Committee on this Bill.

An Amendment was proposed in the second clause, to the effect that the Privy Council might appoint certain persons to act as deputies under the Act.

Mr. *James E. Gordon* thought, that considerable caution should be exercised as to giving authority to persons to act under this Bill; be begged to suggest, that the appointment should be confined to the known authorities of the respective places.

The *Lord Advocate* said, it would be impossible to confine the appointments to such persons, as the numbers were too limited to allow them to act with energy; but the nominations should consist of persons of all parties, who were most likely to act with effect.

Clause agreed to.

On reading the preamble of the Bill, it was proposed to insert the words, "whereas it has pleased Almighty God to visit these kingdoms," &c.

Mr. *Hume* said, he could not help objecting to the insertion of these words, as uncalled for by any particular feature of the present Bill. He thought it was all cant, humbug, and hypocrisy.

Sir *Robert Inglis* was happy to find that the words relating to the "interposition of Providence," which had been omitted in the English, had been inserted in the present Bill. It was to be deeply lamented, that, in a Christian country, any hon. Member of that House should have given utterance to the expression of the hon. member for Middlesex—namely, that the reference to Providence was a "humbug."

Mr. *Hume*, in answer to the right hon. Baronet, had only to say, that so far from retracting the words, he regretted that the hon. Baronet did not, in addition to the word "humbug," quote also his opinion that the whole thing was mere cant and hypocrisy. He repeated, that the whole of this particular reference to Providence, in the present instance, was mere cant and hypocrisy; and had, moreover, to assure the hon. Baronet, that he considered the conduct of those who had evinced so much zeal with respect to the present phraseology, as like that of the Pharisees in Scripture, who were proverbial for their ostentatious sanctity, and the display of their religious tenets. Why, the emperor Alexander, after butchering the Poles, made use of the same language. There were many people who made the shew of sanctity the stalking horse to injustice, and, if he had no other reason, he should protest against using those words on this occasion.

Mr. *Gillon* was astonished at the warmth displayed by the hon. member for the University of Oxford, and he thought the Scotch Members had some reason to complain that these words were introduced into the Scotch Bill, after being rejected from the English Bill.

Lord *Althorp* objected last night to a division taking place on the subject, but he had no objection to the insertion of the words.

Colonel *Lindsay* highly approved of the introduction of the words, as he looked upon the malady as an "interposition of Providence." It was but rarely that he agreed with the noble Lord, and he had, therefore, great pleasure in doing it on this occasion.

Mr. *Hunt* could not, for the soul of him, see on what ground the Scotch should monopolize Providence to the exclusion of the English, and, therefore, knew not why the words should be introduced into the Scotch Bill, and not into the English one. He hoped that the Lord Advocate would withdraw them.

Sir *George Clerk* did not think such subjects unfit for the House of Commons, though he regretted to see them introduced, because they were but too often treated with derision by some Members. It might be proper to omit the words "Divine Providence" in Political Unions, but in a public document, such as that which was to prevent or check the progress of such a great calamity as that with which the country was threatened, he thought the words were properly introduced, and he returned his thanks to the learned Lord for the Amendment.

Mr. *Warburton* regretted the use of the words by his hon. friend the member for Middlesex, because they imputed motives, and such imputations ought always to be avoided. If the object of the words proposed in the Amendment was to arm the people with courage to resist the impending evil, he should not object to them, but that was only a human motive for introducing them. He should object to the introduction of the name of Providence as connected with impending evils, for it ought rather to be connected with the blessings which we received from it. He should object to the name of Providence being held out on every occasion of alarm, when it was not equally held out on every occasion of advantage, as he knew no better way to sow the seeds of the most destructive irreligion than thus to represent Providence as the author only of calamities.

The *Lord Advocate* hoped, after the call that had been made on him by this discussion, that the House would allow him to say a few words in explanation. He had introduced the Bill somewhat in haste last night, and had since proposed the addition of the words now objected to, without having observed what was the preamble of the English Bill. However, he felt convinced, that the words would be agreeable to the people of Scotland, for, in all the letters he had received from that country, the infliction of the Cholera was spoken of as an infliction of Divine Providence, and one which was only to be removed by his aid. As to the wish expressed, that the Amendment might be withdrawn, he certainly could not consent to withdraw it. If, therefore, it could not be introduced without a division, there must be a division, for other Members (even should he consent to the withdrawal) would propose the same words. Having said this, he should leave the question to be disposed of as the House might think fit.

Mr. *James E. Gordon* hoped, that the question would be pressed to a division, that the names of those who thought fit to venture to reject such an Amendment might be put on record, and the names of those who stood up to vindicate their principles might equally be known.

Mr. *Cutlar Fergusson* said, that a speech so calculated to sow dissension as that of the hon. member for Dundalk, he had never heard, and if it was possible that his mind could be biassed, that speech would have the contrary effect to what the hon. Member intended.

Mr. *Briscoe* rejoiced at the Amendment now introduced by the learned Lord, and he was sure it would be received with the approbation of the country. Whenever the Ministers of the Crown ceased to lend the influence of their high station to support religion, from that hour the sun of the country's prosperity was set for ever.

Mr. *James* said, that if that House was to be occupied with religious discussions, he thought a separate day ought to be appointed for them, and no day fitter than Sunday; and, as it would be out of the question to ask the Speaker, after the labours of the week, to take the Chair, they ought to apply to the Chaplain to preside over them. He objected to the useless, and, therefore, irreverent introduction of the name of God into any instrument, and should, therefore, vote with the hon. member for Middlesex.

Mr. *John Wood* said, that he was one of those who stigmatized as cant and hypocrisy the irreverent use of God's holy name on improper occasions, and should, therefore, vote with the hon. member for Middlesex on this question, as he thought the present was not an occasion that justified its use.

Mr. *Hume* said, that as he had been dared to press this question to a division, he should certainly show that he was not afraid of doing so, and he knew that the motives which led him to oppose the introduction of these words would not be mistaken by his countrymen.

Sir *Robert Inglis* hoped, that no division would be taken on this subject, for he wished for his own sake that no man should have on his conscience the responsibility of having negatived such an Amendment.

The Committee divided on the Amendment—when there appeared:—Ayes 55; Noes 10—Majority 45.

House resumed.

List of the NOES.

Calcraft, G.	Ruthven, E. S.
Gillon, W. D.	Walrond, B.
Hunt, H.	Warburton, H.
James, W.	Wood, J.
Moreton, Hon. H,	TELLER.
O'Farrel, R. M.	Hume, J.

HOUSE OF LORDS,

Friday, February 17, 1832.

MINUTES.] Bills. Brought up and read a first time; Cholera Prevention (Scotland).

Petitions presented. By Lord FOLEY, from the Glove Manufacturers in Hereford, against the Importation of Foreign Gloves. By a NOBLE LORD, from the Inhabitants of Chesterfield, praying that the Hours of Employing Children in Factories may be limited.

CHOLERA MORBUS — MEASURES OF PRECAUTION.] The Marquis of *Lansdown,* in moving the second reading of the Cholera Morbus Prevention Bill, said, that he did not deem it necessary to trouble their Lordships with any lengthened observations as to the measure in question. It had been brought forward for the purpose of putting an end to all doubts with regard to the powers possessed by the Privy Council, and though he had the satisfaction to state that in those places most likely to be affected by the disorder, the greatest readiness had been evinced on the part of the Overseers, the parochial authorities, and the inhabitants generally, to comply with the regulations and instructions issued by the Privy Council, even where they might be considered as overstepping the limits of the law, yet it was deemed right to vest the specific powers which this Bill contained, in the Privy Council, in order that it might enforce the adoption of its regulations in any parish that might refuse to do so—a case which he hoped would not arise. He would take this opportunity to say, that it had been the object of his Majesty's Government not to excite any unnecessary alarm abroad on the subject of this disorder, feeling as the Ministers did, and as he was sure their Lordships felt, that it would be most desirable to avoid, as much as possible, exciting any alarm, not merely on account of the bad effects which it would produce to individuals, but also on account of the diminution of labour, the interruption of commerce, and the variety of other evil consequences that would arise, and which would be in themselves calculated much to aggravate and increase all the evils of the disease. Those considerations constituted a sufficient motive for the Government, and for their Lordships, not to go a single step beyond the adoption of such measures as were really necessary to meet the emergency. Such, too, had been the motives which had restrained Government from calling the attention of Parliament to this subject at an earlier period. While, therefore, it was the determination of his Majesty's Government that there should be no deception on the subject—that not a single fact should be concealed, and that every thing that occurred should be fully known, both in this and in other countries—he was sure that their Lordships would quite concur with them in thinking that all unnecessary alarm ought to be carefully discountenanced, and that nothing should be done calculated to produce those consequences to which he had already alluded, and which would constitute a greater evil te the country than even the spreading of the Cholera itself.

Bill read a second time, and, on the motion of the noble Marquis, the standing orders were suspended, and the House went into Committee on the Bill.

On the motion of the Marquis of Lansdown, the Amendment suggested by Lord Ellenborough last night, for enabling Parliament to alter or amend the Bill in the present Session, was agreed to.

The various clauses in the Bill having been passed through,

The Bishop of *London* rose to propose an Amendment in the preamble. The object of that Amendment was, to render the preamble of this Bill conformable to that of another Bill relating to the Cholera in Scotland, which would be immediately before their Lordships, and in which there was a direct acknowledgment that it was by the providence of Almighty God that this disease had come amongst us. Though he was not of opinion that it was expedient, or conducive to the interests of true religion, repeatedly to refer to the providence of God in Acts of the Legislature relating to ordinary matters; yet there were occasions when the Legislature was called upon to do so; and he would state to their Lordships two instances, neither of them at a very distant period, and one of them connected with an emergency not altogether dissimilar from the present, in which such a course had been adopted. In the preamble to the Act which was passed for the rebuilding of the city of London after the great fire, there was a devout acknowledgment that that calamity had been caused by the providence of God; and, in the other instance, that of the Act constituting the late Regency, the illness which then affected our revered Monarch (George 3rd), was, in the same devout spirit, attributed to Divine Providence. It did not, he was sure, require any arguments on his part to persuade their Lordships to adopt this Amendment. As he had said already, he did not think that reference of this kind should be made upon ordinary questions of policy: but, on such an occasion as the present, it was decorous and proper to acknowledge the dispensations of the Divine Will. Moreover the introduction of this Amendment was necessary, in order to render this Bill conformable to the Bill that related to Scotland. He would take that opportunity, however, to say a few words with regard to the prevalence of unnecessary alarm on the subject of this disease, principally in relation to the city of London, with which he was so intimately connected, and for the interest and welfare of whose inhabitants he was so deeply concerned. With all the praise which was justly due to the exertions of the Central Board of the metropolis—he did not mean the Central Board of Health appointed by the Government, but a local Board that had been established in the city—it had been too active in exciting alarm; and that one of the measures which it had recommended for the purpose of meeting the malady was exceedingly injudicious, and very much to be deprecated. The measure to which he alluded was this: it had been recommended by that Board, that all the children should be dismissed from the national parochial schools in the city of London, that the schools should be shut up, and that preparations should be made for the purpose of converting them into Cholera hospitals. An emergency might undoubtedly arise, when it would be necessary to take measures of that extensive description, and when even buildings of a more sacred character must be appropriated to such a purpose; but until such an occasion did arise, the religious education of the poor ought not to be suspended. He was afraid that such a suspension would not be of a temporary nature, but would be likely to continue for several years; for, if all the schools were converted into Cholera hospitals, the poor would have a great and a natural unwillingness to send their children back to them again. The consequence would be—a consequence that was much to be deprecated—that the religious education of the children of the poor might be thus suspended for a considerable period. He would suggest to those from whom the recommendation for appropriating those places to the purpose of Cholera hospitals had proceeded, that there were other buildings in the city of London—buildings which were used principally for the purposes of festivity, and the conversion of which to such an object, whenever the emergency called for it, would be much more suitable and proper. He alluded to the halls belonging to the different companies forming the corporation of that great city. It would be much more fitting in the Magistracy of the City that they should appropriate those buildings before they shut up the schools consecrated to the education of the people. It would be far better to suspend for some time civic festivities, than suspend for a long period the religious education of the people. The right rev. Prelate concluded by moving the insertion, in the preamble of the Bill, of the words—"it having pleased Divine Providence to visit this kingdom with this disease."

The Marquis of *Lansdown* had no objection whatever to the amendment; but, on the contrary, it met with his cordial approbation. Under ordinary circumstances, however, he very much doubted the propriety of introducing a reference of this kind into an Act of Parliament, as, possibly, the inference might be drawn from it, that all other events, as well as the particular event in question, were not equally under the disposal and control of an all-seeing and all-ruling Providence, which accomplished its ends and its objects in great, as well as in small events, through the medium of secondary causes. In this instance, however, as he had said already, he approved of the introduction of such words. With regard to the other point to which the right rev. Prelate had alluded, he entirely concurred with him in thinking, that the progress of education ought not to be interrupted. It was probably known to their Lordships, that in the city of London the Lord Mayor had set a most praiseworthy example, in appropriating his own warehouse for the purposes of a Cholera hospital, if a necessity should arise for using it, and thus proving that he should have no fear of returning to it after it had been so occupied. He believed, that in all the various districts the citizens of London would make all the arrangements to meet the exigency which were necessary; and under such circumstances, there would be no reason for the conversion of schoolhouses into Cholera hospitals.

Bill went through the Committee, the House having resumed, it was read a third time and passed.

TITHES—IRELAND.] Lord *Ellenborough* said, that when the Report of the Committee was laid on their Lordships' Table, it occurred to him that it was desirable, upon two points, to obtain some further information from his Majesty's Government, and particularly from the noble Marquis (the Chairman of the Committee) who had presented that Report. He deemed it, however, better to wait for the printing of the Report, as, when their Lordships had the printed copies before them they could ascertain their contents with greater accuracy, and there possibly might be no grounds for calling for such an explanation. He had, therefore, waited, but he still found it necessary and desirable to call for an explanation from the noble Marquis as to two points which he should state to their Lordships. It was suggested by the Report of the Committee, that his Majesty's Government should, by their Attorney General, levy, under the authority of the law passed for that purpose, the amount of monies due for tithes for the year 1831. If it was the intention of his Majesty's Government that the Law Officers of the Crown should only proceed by information for the arrears of tithes due for that period, and the payment of which had been resisted, he was desirous to know whether the whole of the expense of such law proceedings were to be borne by his Majesty's Government, or whether any portion of that expense was to be deducted from the amount which Government would advance to individual clergymen in lieu of the arrears, the payment of which were to be thus enforced. It appeared from the Report of the Committee, that it was intended to grant power to the Government to levy the tithes due for the year 1831. He wished, therefore, to know, and this was his second question, why, if such a power was given to the Government for the purpose of enforcing the payment of the arrears due to the clergy, that power was not carried further back than the year 1831, extending in fact over the whole period during which most of those arrears had accrued? Why should the Government be armed with extraordinary power to enforce the payment of tithes for one year, if that power did not extend throughout the period that the extraordinary resistance to the payment of tithes had called for the interposition of Government? Their Lordships would see that by proceeding in that way they were creating that very anomaly which had been so much condemned—they were creating two different persons to whom the payment of tithes should be made, and the evil would be still more increased by the circumstance of those two persons levying the tithe under different powers. Further, their Lordships would observe, that the tithes due for 1831 were only now coming into the ordinary course of payment, whereas the tithes, the payment of which had been resisted, were those of the year 1830. If it were proper that the authority of the law should be maintained, and that extraordinary power should be given to the Government for that purpose, that extraordinary power ought, undoubtedly, to cover the whole of the period during which an extraordinary resistance had been made to the payment of tithes. With respect to the prospective measures for the regulation of tithes, to which the Report alluded, he should say nothing at present, the more especially as it appeared that the Committee had not as yet matured any plan on that subject.

The Marquis of *Lansdown* said, that, with respect to the first question which the noble Baron had put to him, as to the expense of the proceedings to be taken by the Attorney General for the recovery of the arrears of tithe due, he thought, upon every consideration, that that expense should be defrayed out of the advances made to the clergy by the Government. The expense, therefore, would not fall on the Government, but upon the clergymen from whom the application for relief had proceeded. With regard to the other question, as to the period for which the payment of the arrears of tithe should be thus enforced by the Government, he apprehended that a great portion of the resistance to the payment of tithe, as it appeared from the evidence given before the Committee, was confined to the year 1831. No doubt resistance had taken place to the payment of tithes due in 1830; but the principal resistance of which the Committee had obtained evidence was, as he had just said, confined to 1831. He had no difficulty, however, in saying as to the time for which arrears were due, and as to the period over which the Government would extend its proceedings, that was a point which would be a proper subject for consideration when the Bill came before their Lordships. It would be, therefore, rather inconvenient for them at present to tie themselves down to any exact period, as they could consider that, when the Bill, which must originate in the other House, should come before them. At the same time, he apprehended that it was not the meaning of the Committee, or the intention of the House, to recommend that his Majesty's Government should go back for the recovery of the arrears of tithes over a long period, and should institute proceedings for arrears that had been incurred a long time back. That would lead to great difficulty, and probably to great animosity and vexation.

Lord *Ellenborough* repeated, that when an extraordinary power was given to the Government for the enforcement of the payment of tithes, that power should extend throughout the whole period that an extraordinary resistance had been made to the collection of them. He did not clearly understand from the noble Marquis whether the expense of the proceedings that were to be taken by the Attorney General were to fall upon the Clergy or the public.

The Marquis of *Lansdown* begged again to explain to the noble Baron that the expense would be deducted from the advances made by the Government to the clergy. The expenses, in the first instance, would be borne by the Government, but would be defrayed by the clergy.

Lord *Ellenborough* hoped, that the decision which the noble Marquis had announced upon that point would not be an irrevocable one, and that his Majesty's Government would yet give to it the fullest consideration. Again he would repeat, that the arrears of tithes now due were due for the year 1830, and not 1831, and that the extraordinary power to be vested in the Government for the purpose of collecting those arrears should extend at least to the arrears of that year. He had asked for explanations on those points, for the purpose of attracting the notice of Ministers to them, in order that they might well and duly consider the provisions of the Bill which was to be introduced on the subject.

Lord *Plunkett* did not think that any necessity existed for extending the extraordinary powers that were to be vested in the Government beyond the year 1831, but should they be considered by their Lordships necessary, it would be better discussed when the measure to which the noble Baron had adverted was brought in. With regard to the other question, as to the payment of expenses, power was given to the Court of Exchequer to decide on the information, and the Court would be further armed with the power of deciding the question as to whether the case should carry costs.

The *Earl of Wicklow* said, that the explanations which had been just given by the noble Marquis would not satisfy the clergy of Ireland, or do away with the strong feeling of alarm which must be excited by the report which had been presented by the Committee. A long time must elapse before the bill to which the noble Marquis had alluded could be brought before their Lordships, since that Bill must originate in the other House of Parliament. During this interval, the Report would be circulated throughout the country, and would carry disappointment and terror to all the Church establishment in Ireland. The Report recommended powers to be given to enforce payment only of the tithes of the year 1831; but those tithes were not payable in that year, and, therefore, the Bill could give no immediate relief, and the clergy would look upon the Report as an abandonment of their property up to the year 1831. It was not yet the time when the clergy in most parishes were accustomed to apply for the tithes of that year. But the payments that ought to be enforced were those for the year 1830, which were last year illegally resisted. In truth, the system of resistance had existed more than two years, and was confined, for the most part, to one part of the country, as appeared upon the face of the Report. It appeared to him that if anything were wanting to prove the progress of that revolutionary spirit, the object and aim of which was, the pulling down of the best institutions of the country, it was to be found in the remarkable and ominous circumstance, that a Report of such a nature as the present one, which declared at once the extinction of the law of the land on the subject of tithes, should be presented to that House by a Minister of State, without one single observation having been made on the occasion by any one Member of his Majesty's Government. The noble Earl opposite, at the head of his Majesty's Government, had told them, on a former evening, that it was his determination to uphold the law of the land. That declaration of the noble Earl had since been interpreted by one of his colleagues in another place in a different sense, and with that interpretation, the noble Earl must allow him to say, his original declaration in that House was totally at variance. It appeared, from what had been stated in another place, that though his Majesty's Government was determined to maintain the law of the country, they would, while they did so, proceed to redress the grievance that existed; thereby describing that law which had been the law of the land ever since Ireland had been connected with England as a grievance. He begged to deny that it was a grievance; on the contrary, he would contend, that it was a just and equitable law, and that if the Government had been determined to uphold it, the noble Earl ought to have come down at an earlier period of the Session, and made such a declaration. It was his duty to have come down to that House, and express his determination to maintain the law, and to uphold the rights and privileges of the church of Ireland. There would then have been no occasion for the violent revolution which it was now proposed to effect in the laws of that country.

Earl *Grey* said, that if ever there was an occasion which did not call for the excitement of party spleen, and the display of party venom, this was such an occasion, when his Majesty's Government had produced a measure, with the double object, of giving the relief to the clergy and enforcing the law. He did think, that when a measure which was intended to effect those purposes—to attain those desirable objects—a measure which had been approved of by those who had most at heart the interests of the Established Church—(and when he said so, he would not admit that any one had more at heart than he had the security of that Church, and the welfare of the country)—when a measure, sanctioned by such approbation, and intended in the best spirit, for the maintenance of the interests of the clergy, was brought forward, he must say, when such a measure as that was proposed to Parliament, for the noble Earl opposite to get up and endeavour to cast the unwarrantable imputations which he had attempted to fix on his Majesty's Government, and to raise a prejudice against the measure in question, was a most extraordinary proceeding. It had caused him a most painful surprise. He was astonished, that party feeling could have led the noble Earl to attack, in the manner he had done, a measure which had such objects in view, and by which the interests of that Church, about which the noble Earl professed himself so anxious, would, as he hoped and believed, be best secured. Such were the intentions and the objects of his Majesty's Government, when properly interpreted and understood; and he was sure that it would be seen, when the subject came under discussion, and when their Lordships had the evidence connected with it before them, that no effort had been wanting, on the part of his Majesty's Government, to maintain the authority of the law. He had no hesitation in saying, that the charge which had been made against the Government was utterly false and unfounded. It would be then seen, that no endeavour had been wanting to enforce the execution of the law; that all the means in the power of the Government had been resorted to for that purpose; and that every assistance had been given, even, perhaps, beyond what the existing law warranted, in enforcing the claims of the clergy to the payment of tithes. When the noble Earl complained that he (Earl Grey) did not make a declaration to that effect at an earlier period of the Session, he would appeal to the House and to the country, whether he had ever omitted to state, that whenever the authority of the law was resisted, it was the fixed determination of his Majesty's Government to enforce and to support it? He did not think it necessary to come down upon every occasion in which reference had been made to this subject, and to repeat that statement; and if, upon a late occasion he had done so, it was because it had been made necessary by the false impression as to the views and objects of his Majesty's Government which had been industriously spread through Ireland, chiefly by those who should be the last to do so, and who, he must add, in doing so, were actuated by the desire to excite all those feelings of party dissension and party prejudice, which it should be the object of all lovers of their country to allay, and who seemed to have only at heart the triumph of a party, at the expense of the best interests of the country. It was to put an end to the false impressions which such persons had promulgated, that he made the declaration to which the noble Earl had alluded; and he was quite sure that there was nothing in that declaration inconsistent with the Report which had been yesterday presented from the Tithe Committee to their Lordships. For, though he did state, on that occasion, in words that had been much misunderstood, the determination of his Majesty's Government to support the authority of the law, he, at the same time, added, that of nothing was he more convinced than that there was an absolute necessity to correct the grievances of the system of tithes in Ireland. The noble Lord betrayed a lamentable ignorance of the circumstances of that country from which he had come, when he endeavoured to persuade their Lordships that the Report which was now upon their Lordships' Table, was calculated to shake the foundation of the Established Church in Ireland, and to destroy the welfare of society there. A Report, be it observed, which had been adopted with almost perfect unanimity by a Committee appointed by their Lordships. The noble Earl spoke in condemnation of those who had thrown out the opinion that the law, as it existed in Ireland, with regard to tithes, was a grievance, and he had said, that it was the first time he had heard the law of the land so characterised. Would the noble Lord only take the trouble of reading the evidence which had been laid before Parliament on the subject? If he did so, he probably then would obtain the knowledge which almost every one else had obtained—and would arrive at the conclusion which almost everybody else had arrived at—that the law, with regard to tithes, as it existed in Ireland, operated in a manner that rendered it a terrible grievance, that it must be productive of evil effects while it was continued in its present state, and that the safety of the Church, and the welfare of Ireland, demanded that an end should be put to such a system. The phrase "extinction of tithes," would not, he was sure, be interpreted by those who attended to it in the way that the noble Earl had characterized it. It meant not the extinction of the rights of the clergy, but the commutation of them, and the placing of them on a more satisfactory footing, so as to prevent the collisions that at present took place between the parochial clergy and their parishioners, and thereby to insure the peace, happiness, and welfare, of Ireland. Such were the objects which his Majesty's Government had in view in proposing the Committee on this subject, and he would here say, that their whole desire was, to do justice to all parties—that their most earnest wish was, to restore peace and tranquillity to that unhappy country; and he could not but lament that those who ought to be most anxious to effect such desirable objects seemed most anxious to sow dissension, and to perpetuate party feeling. He should not have said so much upon those matters but for what had fallen from the noble Earl, feeling, as he did, that they were matters which would be more properly discussed when the Bill on this subject should be before them. At present, he looked upon all discussion of the subject as premature, and to be avoided. His Majesty's Ministers felt certainly indebted to the noble Baron opposite (Lord Ellenborough) who had endeavoured to bring under their consideration matters which the noble Lord seemed to think had been exclusively the objects of his attention. He begged to assure the noble Baron that these matters were equally well understood, and had been attended to, by his Majesty's Ministers. It would be found, he believed, that Ministers had given these subjects the most careful consideration. They had considered these matters with as much attention to the interests of the Church as that noble Lord could do; and when the Bill was before the House they would be ready to discuss them. In giving the relief which was proposed to be given to the clergy, they did them an essential benefit, and rendered the legal recovery of their other claims, which might extend beyond the period to which the power to be vested in the Government would go, more easy and certain. Again, however, he must deprecate premature discussion on this subject; but, above all, must he deprecate that spirit of misrepresentation, those endeavours to counteract the Government, in its efforts to relieve the country and the people, and those attempts to raise upon the most unfounded grounds a public feeling against a measure that was intended to support the law, and to establish on a securer basis the rights of the Church. The noble Earl characterized it as a revolutionary measure. Let the noble Earl turn to the list of the persons who formed the Committee from which that Report had proceeded, and say whether they were revolutionary characters—whether they were persons who would give their sanction to a measure, the principle and the object of which was to root up the foundations of the law, to throw everything into anarchy and confusion, and, in short, to produce effects that all the friends of good Government would lament and deplore. He was sure, that the House would not be misled by such attempts on the part of the noble Earl, and that, viewing the question calmly and dispassionately, they would look upon the measure as one calculated to put an end to most of the divisions and dissensions that existed in Ireland, to promote the peace of that country, and to place the rights of the Protestant clergy upon a secure and lasting basis, on which no man was more anxious to see them placed than he was.

The Earl of *Wicklow* said, that the noble Earl, with his usual dexterity, had contrived to charge him with casting imputations, but he denied that he had done so, and it was the noble Earl who had directed accusations against him, which were totally without foundation. In the first place, he cast no imputation on the Committee to whom their Lordships had assigned the investigation of a most difficult question, for it was impossible for any set of men to perform, in a more satisfactory manner than they had done, a most arduous and unpleasant duty. It was not against the Committee, but against his Majesty's Government, that he directed his observations, and he distinctly accused them of not having done their duty at the beginning of the Session. The noble Earl had observed that, during the whole of his political life, he had never felt or uttered any sentiment that was hostile to the Established Church. He (the Earl of Wicklow) could not say what part the noble Earl took with reference to such objects when the noble Earl was a member of the Opposition: but when the noble Earl stated, that no imputation of hostility to the Church could rest on him, he ought to recollect that, though he was at the head of the Government, he was not the whole of the Government; and he (the Earl of Wicklow) might, therefore, be allowed to advert to the conduct which had been pursued by some of those with whom the noble Earl was now acting. In the year 1824, a Gentleman in the other House of Parliament, not very remarkable for his attachment to the Protestant Church, nor, he believed, to any other establishment, brought forward a motion, not for a moderate inquiry into the affairs of the Church, but a motion bearing revolution on the face of it—a motion to inquire whether the clergy were not too numerous, and whether the whole establishment was not overpaid. That motion was lost, and in the minority he observed the name of the noble and learned Lord on the Woolsack, and the names of other individuals, who were members of the present Government. When he saw that noble and learned Lord supporting a motion directed against the Established Church, why should he not look with suspicion and jealousy to the conduct of Ministers? Why should he not feel suspicion and jealousy, when he heard the noble Earl, in the spirit of prophecy, address the right reverend Bench, and tell them "to put their house in order?" It was, he contended, the bounden duty of Government, knowing the spirit that actuated some of its friends, to have come forward, at the commencement of the Session, and to have declared its intention to support the rights of the Established Church. From an Administration differently circumstanced this might not have been necessary; but it was their duty, so constituted, to have made such a declaration, and their having neglected so to do had occasioned much of that mischief which prevailed in Ireland, and which, by a revolutionary measure, as he would still call it, they were now endeavouring to remove. The noble Earl seemed to cast on him (the Earl of Wicklow) a part of the odium of the establishment of those societies which at present existed in Ireland. He begged, therefore, to observe, that he belonged to no society in Ireland. The noble Earl had alluded to the state of opinion in that country, and Protestant societies now formed there, and had stated, that he considered that persons of high rank and consequence were the cause of much of the feeling which existed, that the Ministers were unfriendly to the Church. He could only say, that he did not belong to those societies, and he extremely regretted the necessity which had caused their revival. But if they were revived, there was, in his opinion, a very strong cause for such a step. The noble Earl might say, that a party feeling operated on his mind on this subject; but he would maintain that the re-organization of those societies was mainly owing to the Government itself. So long as the Protestants thought that they had a paternal and protecting Government—so long as they believed that the meetings which agitated Ireland were inseparable from the nature of a free Constitution—so long as they imagined that the inflammatory speeches which were made, and the publications which were sent abroad, were incidental to a free Constitution—so long did they remain tranquil. But from the moment they saw the Government giving its confidence and support to those whom they believed to have been always decided enemies to them, to the Church, and to the country—when they saw men of that description encouraged, and even raised to situations in the Government—the moment they heard that the first Minister of the Crown had eulogized the prime mover of the disturbances in Ireland, as a man who was fit for the highest political rank, on account of his abilities, disregarding principle, integrity, and consistency—from that moment they found that the time was come to unite in defence of their religion, their property, and even their lives. Therefore, he again asserted, they had taken upon themselves a deep responsibility, and he would not be prevented by the taunts and sneers of the noble Earl (which he condemned so strongly in others, though no one was more in the habit of indulging in them than himself) from stating his feelings and opinions on this subject.

The *Lord Chancellor* said, he would not detain their Lordships for more than a single moment; but he felt it necessary to explain something relative to his conduct in the other House of Parliament which had been very irregularly brought under notice by the noble Earl. The noble Earl had first attacked, he would say, not so much the Government as the Report of the Committee, though now the noble Earl said, that he attacked the Government, and not the Report. But what was the nature of his attack? What did it refer to, but the extinction of tithes? Now, whatever had been recommended, was recommended by the Committee, although the noble Earl would now choose to declare, that he meant not to attack the Committee, but the Government. That which was proposed would not injure the Church; on the contrary it would effect the extinction and destruction, not of the Church, but of all that rendered the Church unpopular in Ireland; and which, if removed, would make that Church popular, and give it that security which at present it had not. As for himself, he had taken no part in this transaction—he was not a member of the Committee—he had nothing to do with it, and was no more answerable for its acts than any other member of the Government. Next to the Committee against whom the noble Earl's attacks were levelled, he had thought fit to attack others, and amongst the rest the humble individual who then addressed their Lordships. The noble Earl said, that he (the Lord Chancellor) had voted for a motion brought forward in the other House of Parliament by an hon. Gentleman of whom he had not spoken in the most courteous terms. The noble Earl, he hoped, did not mean to convey the charge that that hon. Gentleman was an enemy to the Church—that he was no friend to the establishment—that he wished to bring down, not the Church alone, but the other institutions of the country. [*"No, no," from the Earl of Wicklow.*] He (the Lord Chancellor) was glad to have misunderstood the noble Earl; but, to his mind the charge appeared to be, that the hon. Gentleman was no friend to the Church Establishment, or to the other institutions of the country. He was, however, happy to hear that the noble Earl meant no such thing, but the very reverse. Now, that he (the Lord Chancellor) had voted for the motion alluded to, he had no doubt, because the noble Lord had said so. He had not, however, the least recollection of the circumstance; but that he had ever voted for a motion of the description which the noble Lord had given—a motion to destroy, to weaken, or in any way to injure the Established Church—that he did most positively deny. Let the noble Earl state the words of the motion, and he would answer for it that the resolution would be found to have no such tendency. If it were otherwise, he certainly would not have voted for it. When he looked to the situation of the Established Church of Ireland—when he thought of the peace of Ireland, and the good Government of that country—he must say, that one reflection was ever present in his mind—when he heard the language of individuals, who expressed themselves anxious for the performance of the great and sacred duties which they owed to Ireland—who declared that they felt the most friendly disposition towards the good Government, the peace, and the prosperity of that country—he must say, that the peace of Ireland, the good Government of Ireland, and the Church of Ireland, had every reason in these times to pray that they might have any friends rather than those.

The Duke of *Buckingham* thought that the report should have been more complete than it now was before it was laid on their Lordships' Table. It stated great evils, but it laid down no principles by which those evils could be remedied. In this state that report would go forth to the world, and would not tend to allay those party feelings which existed in Ireland. The noble Earl complained of the subject exciting party feelings, but he hoped that to such a degree of party feelings as was necessary to preserve the Established Church it would be exposed. He had no party feelings on the subject, and the noble Earl would pardon him for saying that he could not look on the measure as likely to be a source of security and tranquillity, and he could not look at it as calculated to realize the hopes and expectations which had been excited. Looking back, indeed, at the measures adopted in Ireland—looking at the state of that country—looking at the vacillation of the government of Ireland, taking up and laying down measures as the great agitator of Ireland dictated, who had acknowledged himself guilty of breaking the law—looking at the Government afterwards courting his hollow assistance to secure the country against agitation—looking at these things, could he expect from the measures now proposed, tranquillity for Ireland and security for the Protestant Church? He should not have said so much had it not been for the eagerness of the noble Lord. If the report of the Committee mentioned the extinction of tithes, he might complain that one day the plan was commutation and another extinction. Formerly it was extinction, now it was commutation. The noble Earl was not consistent in his statements.

Earl *Grey* said, he had not said one word against commutation.

The Duke of *Buckingham* had formerly heard of extinction, while the explanation given in another place flatly, in his opinion, contradicted the declaration of the noble Earl in that House. The noble Earl had not shown how tithes were to be commuted. In the present state of Ireland, he did not think such a scheme could last forty-eight hours. When they promulgated the Report they were bound to state—considering the situation and anxiety of Ireland, they were bound to state to what extent the measures were to go which they contemplated. He came down to the House only intending to put the question to the noble Earl which he would then ask, which was—when did the noble Earl intend to explain to the House the plan he had in contemplation?

Lord *Plunkett* wished to say, with respect to the language used by his noble friend (Earl Grey), on a former occasion, that it was not possible for any language to be more industriously misrepresented, though it was then most gratefully accepted by cheers from the other side. He would not enter into his noble friend's views, but only say, that the language he then used was exactly the same as what his noble friend had now stated. There were persons in Ireland of two opposite factions, who were reckless of all the consequences to the peace and tranquillity of the country if their party views were successful. His noble friend had never altered his sentiments, or given, on the one hand, the smallest reason to believe, that, in his opinion, the just rights of the Church ought to be abandoned; nor, on the other hand, had his noble friend ever uttered a sentiment which could make it be supposed that the just expectations of the people were not to be attended to. The proceedings of the Committee confirmed his noble friend's declaration. Relief was, in the first instance, proposed to be given to the suffering clergy by the Government, the Government taking on itself to prosecute the rights of the clergy. At the same time it was declared—and this was the opinion of all reasonable men, it was confessed by the clergy themselves—that there was no security for the Church—no safety for the Establishment, unless the system of tithes was extinguished. He was far from insinuating that the noble Duke, his noble friend, if he might so call him, would wilfully misrepresent what had fallen from the noble Earl—the whole course of his life, and his great stake in both countries would not admit of any man forming such an opinion; but he did intreat his noble friend to consider whether he was promoting the interest of the Church, by holding his present language. The clergy of Ireland, he could assure his noble friend, would not consider those their friends who made use of it. The clergy of Ireland were grateful to the Government for what it had done. If any body thought that the clergy were not contented with what the Government had done, he was much mistaken. If noble Lords would wait till they read the evidence given by several Churchmen before the Committee, they would find that there was no jealousy of this plan, and that it was the opinion of all those interested for the welfare of Ireland that the tithe system could not be continued. It was said that the language was different, and that both extinction and commutation had been mentioned: he had not seen any objectionable phrases of this kind. His noble friend had not used the word extinction, but the Committee had. The report of the Committee used both phrases, both extinction and commutation. This was a plain proposition, which he saw no difficulty in understanding. Was it fair to state that the Government wished to injure the Church, when it raised expectations of putting an end to daily conflicts between the clergy and the people, and when it endeavoured to restore peace? Would it injure the character of the ministers of God, who were engaged in interpreting the Word of God to the people? or would it injure the interests of the Church to take away those sources of conflict? Would not the instruction of the clergy be more cordially received by the people, if this source of dispute did not exist? With respect to the Government of Ireland, he wished that some facts were stated—some plain proposition advanced—some proof given, that it had neglected to protect the rights of the clergy. He begged that some instances might be given of cases in which the law afforded the means of protecting the clergy, and the Government had refused its aid. The fact was, that by the rage of party feelings, Ireland was torn in pieces. The parties lost sight of her interest to thwart every government which did not humble itself before one or the other. That was the feeling of these parties; but they forgot that there was a third party—the people of Ireland, whose interest demanded the care of the Government. There was the party of the Protestant Ascendancy, and the party of the Democracy, and they were both hostile to the Government, which, for once, was in opposition to both. This was the cause of the complaints made against the Irish Government. There was no person more firmly attached to all the best interests of Ireland than the Marquis of Anglesey. If injury was offered to the clergy, and assistance were demanded, it was immediately and promptly given. Let their Lordships look at the evidence before the Committee, and not run away with vague notions, and they would find the fact stated by persons of different ranks, that there was a suspicion that the Government would not support the clergy. But they could mention no instance in which assistance had not been given. The charge was, that the Government did not support the rights of the clergy. If, however, their Lordships would not listen to the wild suggestions of party feeling, but to the evidence given before the Committee, they would find that there was no instance of the Government having ever refused to do so. They had heard much of lawless associations of the agitators, but he would undertake to say, that there were other associations still more lawless. There was the lawless Democracy Association, but there was also the lawless Ascendancy Association. The Democracy Association was wicked, mischievous, and dangerous. He had often looked at it with apprehension; but it was mixed up, lawless as it was, with some real grievances. It might be said, why did the law not put it down? The law had been applied, but the Government could not go beyond the law, and it must take away the grievance in order to have the law respected and willingly obeyed. He saw some necessity for this association; but, without imputing bad motives to the other party, charity even obliged him to say, that they were the most senseless class of associators he had ever heard of. He was afraid of the former, but he could not possibly feel any respect for the latter. One specific person had been pointed out—a person of whom it was said the Government was afraid, and before whom the Government was described to humble itself. He was the last person who could be expected to panegyrise the individual alluded to, for he had never hesitated to do his duty towards the public, though it might be against that individual. In the fulfilment of that duty, when he held a situation different from his present situation, he had instituted a prosecution against that individual, and he could tell their Lordships how that prosecution was defeated. It was defeated, because, in the spirit thwarting the Government, the opposite party took up the defence of its greatest enemy, and prevented the public good being effected. He wished to tell their Lordships, that it was not so easy to catch that person within the law. He had carefully observed his proceedings for many years, and he would declare, as a constitutional lawyer, that he had only found one occasion on which he thought that individual could be successfully prosecuted. He was successfully prosecuted, and nothing but the expiration of the Act of Parliament prevented him from being brought up for punishment. With respect to the Government not daring to execute the law, he would only say, that it did not dare to go beyond the law. It was said, that the Government had offered a place to that gentleman, which was a report without foundation. Much as he condemned the conduct of that individual, he must say, that, as far as he knew, the declaration formerly made by his noble friend was strictly true. The professional pursuits and professional reputation of that gentleman were so great, that nobody ranked higher. As a practical barrister, his reputation entitled him to the highest place. To indulge in angry feelings was not, he believed, the best means of conducting affairs to a satisfactory result; and, looking to the situation to which the general business of that person would entitle him, he thought it would be advantageous, if means could be found, to disarm him of mischief. If the Government could have done that, it would have been acting a wise part to place that gentleman in a situation where his opposition would cease. To that extent he had been willing to go; but to say that the Government had humbled itself before that individual was most untrue. He called, then, upon the noble Lord, to put his finger upon any act of the Government in which it had not supported the laws. He was sure that the interest of the clergy had been supported in Ireland, though the Protestants of the North of Ireland had made some loud complaints. These persons called themselves the guardians of the public peace, and they associated to put an end to the peace of the country. He had looked through their proceedings—he had examined their speeches, abstracting himself from other business, and he could openly declare, that he had not found one intelligible proposition in all their proceedings. They called out for protection from the law—they called out to preserve the Constitution—but they did not establish any infraction of the laws, or point out any remedy which could be adopted. The Government was beset by enemies on both sides; but the good feeling of the great body of the people—of all the sound, and intelligent, and sensible part of the population—was in its favour, as it looked to them for support. If the Government did not show any favour to either party—if it both protected the clergy and protected the people, he had no apprehension of the results..

The Duke of *Buckingham* explained, that he did not say that both extinction and commutation had been spoken of by the noble Earl (Grey); but he stated, that the noble Earl had not mentioned extinction, and his colleagues in the other House had.

The Earl of *Carnarvon* could not but express his surprise that such warm language should be used in a debate which had grown up so incidentally. If the Government were to act on the principles it professed; if it were to pursue that even-handed justice the noble Lord ascribed to it, he should be sorry to see any measure it proposed for the public good opposed *in limine* from party animosity. He could not, however, agree with the noble Lord in ascribing that character to the Government; and he could not help feeling, that the language indulged in by the noble Lord was calculated to alarm the already irritated Protestants. The noble Lord had described them as men more deficient in intellect than any he had ever beheld.

Lord *Plunkett* denied that he had ascribed such a character to the Protestants: he had only said, that in their speeches he could not find one intelligible proposition.

The Earl of *Carnarvon* was glad to hear any explanation; but he wished that the language of the noble Lord had been more temperate. The noble Lord would not say that the party of the Protestants were few, when he saw the Petition against the measures of Government signed by 235,000 Protestants. That was not an indication of a defect in their understanding, nor of that senseless character which the noble Lord had modestly ascribed to them. They showed that they justly appreciated the blessings they had long enjoyed. He must see some better fruit of the conduct of the Government than he had yet beheld before he believed its professions. The Government said it was neuter; but he asked, with which party did the contest arise? The Catholics of Ireland had received the greatest boon that ever was conferred on any people; and when they accepted it, they said that they had then got everything they wanted. But scarcely were they in possession of their wishes, when the embers of their old Association were again blown into a blaze, and publicly, openly, and boldly, they professed that their object was to separate the two countries. Did the attack then originate with the Protestants? Did the Government take any effectual measures to put down these attacks? The attack made on the tithes began more than a year ago: had it been instigated by Protestants? It began with the Hurlers, who had been attended by a legal gentleman to advise them, so as not to break the law. Were these proceedings put down? The Government said, that it had applied the law; but these proceedings had been going on for a whole year, the Government had found the law inefficient, and it had not come to ask for fresh powers. After this state of things had continued a whole year, the noble Earl came down, and said, if he found that his powers were not sufficient to put down these disorders, he would not shrink from applying to Parliament for more power! He had submitted to excitement and agitation for a whole year; rebellion had not been arrested, but fostered; and now, at the end of a year's professions, the Government doubted whether it should apply for greater power. If the Government made the application to Parliament, it would find that no power would be refused, no establishment withheld by those whom the Government generally considered in opposition to it; and if any opposition were made, it would come from those to whom it was accustomed to look as its political friends. The noble Lord said, that the Agitator was not punished, because the law expired; but how did it expire? By the most hasty, impatient proceeding of the Ministers. They terminated the Parliament abruptly, and lost the opportunity of re-enacting the law. He saw no ground for confiding in Ministers; if he saw any determination, on their part, to put down the rebellious spirit that prevailed in Ireland, he should be ready to give his support to the measure proposed. He regretted to say, that hitherto the policy of the present Government had been, not to give that support to the Protestants of Ireland they had a right to expect, and which they had formerly received.

The Marquis of *Clanricarde* complained of the strong language used by the noble Earl towards the Government, who had said, that rebellion had been fostered and encouraged in Ireland—[The Earl of Carnarvon did not say that the Government had fostered rebellion].—He wished that the noble Lord would make some specific charge against the Government, and if the noble Earl could show that the Government had neglected to support the clergy of Ireland, or to use its proper authority, he certainly would not support the Government. He must deny that the great body of the Protestants of Ireland were represented by the Orangemen, and, as a Protestant Nobleman, he must say, that the Associations alluded to by the noble Lord were not the whole Protestant party. They had been spoken of as embracing 2,000,000 of Protestants, and now they had shrunk down to 230,000.

The Earl of *Carnarvon* said, the noble Marquis was very much mistaken, if he supposed that he (Earl Carnarvon) had said that Government had fostered rebellion in Ireland. What he did say was, that those who originated and attended the Hurling Meetings were the prime movers of every species of resistance to the law which existed in Ireland; and he complained that those proceedings were not stopped.

HOUSE OF COMMONS,
Friday, February 17, 1832.

MINUTES.] Bill. Read a third time; Cholera Prevention (Scotland).

Returns ordered. On the Motion of Sir RICHARD VYVYAN, of all the Cases which had been heard and decided in the Courts of the Warden and Steward of the Stanneries, Cornwall, with the Names of the Parties and the Sums litigated in each year, from 1824, to 1831, inclusive:—On the Motion of Sir HENRY PARNELL, of the Number and Effectives of the British Army, Rank and File, at Home and Abroad, on the 1st of January, 1831, and 1st of January, 1832; the Establishment as fixed by the King's Memorandum for Service at Home and Abroad, from 1817 to 1832, and also the Effectives in each of the Foreign Stations, on the 25th of January, in each year; also the average Force in Rank and File at each of the Foreign Stations on the 1st of January, 1832, with the Increase at each Station, and the total Increase; also the Numbers of every description of Military Force, including the Army of all Classes, Militia and Yeomanry, in the United Kingdom, on the 1st of January, 1832:—On the Motion of Mr. BURGE, Accounts of the quantity of Sugar Imported into Great Britain from the British Colonies, the East Indies, and from Foreign Countries, from the 5th of January, 1831, to 5th of January, 1832, distinguishing the several sorts of Sugar, and the Colonies and Countries from which the same was Imported; a similar Account for Ireland, with the Amount of Duties paid on the total quantity; an Account of the quantity of Raw and Refined Sugar Exported during the said period; also the same Accounts of Coffee, Rum, and Cocoa, Imported and Exported; also Accounts of the Official Value of British and Irish produce and Manufactures; and of Foreign and Colonial produce Exported and Imported during the year 1831.

Petitions presented. By Mr. SHAW, from the Directors of the Dublin and London Steam Company, against the Steam Vessels Bill:—By Mr. VERNON, from the Freeholders and Residents of Tideswell, against the General Registry Bill:—By Lord **George Lennox**, from the Landowners and Inhabitants of Ifield, Rasper, and Pulborough, praying for an Act to enable a majority of two-thirds of the Rate-payers to fix a plan for the Employment of the Able-bodied Poor.

DESTRUCTION OF AGRICULTURAL IMPLEMENTS.] Lord *George Lennox* presented a Petition from William Cross, a Farmer, in the neighbourhood of Dover, praying that some measure might be adopted for the protection of Agricultural Implements. The petitioner stated, that in the month of November last his thrashing machine was destroyed by rioters, and as those implements were not enumerated in the "Remedies against the Hundred Act;" he could obtain no compensation. He (Lord George Lennox) regretted exceedingly that the thrashing machines of such persons were not protected, and if no other Member of the House would undertake the task, he would bring in a Bill to give the same protection to the farmer as the manufacturer already possessed.

Mr. *Hume* said, he had asked the question before, how it was, that thrashing machines were not protected, and he had been told, they were so. But it seemed those who took the trouble to correct him had themselves laboured under a mistake with regard to this matter, for they were left wholly unprotected. If a thrashing machine was destroyed by rioters, the farmer had no remedy, while if his house or furniture was injured he had an immediate remedy against the hundred. Under such circumstances, he begged to ask the hon. and learned Member, whether his Majesty's Government were about to introduce any measure to correct this anomaly.

The *Solicitor General* said, he was not aware of any such measure being in contemplation.

Mr. *Hume* observed, that he should take the very first opportunity of putting some questions to Ministers on the subject.

Petition to lie on the Table.

Lord *George Lennox* presented a petition from the Landowners, and Inhabitants of Petworth, complaining of the great increase of the Poor-rates from 1810, to 1831, and praying that some Act should be introduced by which an equitable apportionment of the able-bodied labourers upon the land should be regulated by the decision of a majority, in value, of the rate-payers.

Sir *Charles Burrell* could bear his testimony to the truth of the allegations contained in this petition. By the present unfortunate system at the meetings of Vestries, the dissent of one man out of twenty was sufficient to do away with the good intentions of the majority. Where nineteen well-disposed men wished to arrange an equitable apportionment of the able-bodied labourers upon the land, rather than setting them to work upon highways, and in stone pits, one self-willed person might overturn the proposition. He was no advocate for compulsory measures, but he apprehended that a permissive Bill might be framed, which could be acted upon where there existed a disposition to improve the condition of the poor, and which would enable a majority of two-thirds of the rate-payers in value, in Vestry assembled, to settle an equitable apportionment of the able-bodied labourers upon the land; and also to levy a proportionate rate in lieu of labour, upon such rate-payers as dissented from, or neglected to act upon, the principle established by this majority. Every occupier of land who was liable to be assessed, would pay labourers' wages according to the amount of his assessment; and an option might be given to every rate-payer whether he would employ a labourer, or pay the amount to the overseer. If this plan were adopted, it now was acted upon in a few districts, the labourers employed would be under a better control, and a competition would be raised for the best hands. The present practice of sending labourers out in gangs to work upon the roads, generated habits of idleness, instead of industry; while at the same time, their labour was of no proportionate value to the increased demand upon the Poor-rates. On these grounds, he cordially agreed in the prayer of the petition, and was most happy to give it his support. He certainly wished he could induce the hon. member for Oxford to bring in a Bill to effect these objects.

Mr. *Estcourt* begged to state to his hon. friend, that he never had an intention to bring a Bill before this House on the subject, because such a measure unless it were introduced by his Majesty's Ministers, would have no chance of success; but, at the same time, he was able to bear his testimony to the correctness of the statements of his hon. friend. There could be no doubt that great distress pervaded the agricultural districts. This evil was not to be remedied by ordinary means; but, he believed, if the law was so framed as to enable those labourers who were well disposed, and willing to work, to procure employment, the evil might be remedied. But the fact was, that any one rate-payer in the Vestry who was ill-disposed, might defeat the arrangements made, however good they might be, or by whatever majority they might be carried. He was of opinion, therefore, that it would be most useful to frame an Act, by which a majority of the Vestry should have the power given them of legally providing employment for industrious and well-disposed persons.

Mr. *Gillon* said, the present condition of the agricultural labourers was most pitiable. In many places, during ten months of the year, a great number of able and well-disposed men were incapable of procuring work. Much was said about slavery in the West Indies, but there was no slavery there worse in its operation than that which existed in Sussex, where paupers were frequently harnessed together to draw loads.

Lord *Nugent* added his most earnest wishes to those of other hon. Members, to request the hon. member for Oxford to bring in a Bill to remedy the immense evil which was so justly complained of. The hon. Gentleman knew his opinion upon the subject, and was also acquainted with the provisions of the Bill which he had introduced into the House about two years since; a measure which, being now connected with his Majesty's Government, he did not think it would be prudent in him to follow up, inasmuch as it might then be deemed a Government measure. He would merely state one fact, namely, that in a parish near which he resided, the general principle of the Bill introduced had been adopted by agreement of the Vestry; the effect of which was, that after the lapse of scarcely one year there had been a reduction of nearly two-thirds in the average Poor-rates: and the plan had been attended with other very beneficial results. The farmer could now actually make a profit by employing men; whereas in former years he contributed to their support without receiving any return.

Mr. *Fyshe Palmer* said, that within the last ten years he had had an opportunity of seeing the effects of this system at Oundle and other places; and it had succeeded to the satisfaction of the farmers and landlords.

Mr. *Benett* was of opinion that, this particular system of labour-rate might be adopted with advantage in certain cases, though he was not convinced that it could be resorted to as a general measure. It must not be supposed that the condition of the labourer could be permanently improved unless the owners of the soil were also benefitted and relieved. He was sure that a general commutation of tithes would do more than anything to remove the existing grievances. Such a measure would strike at the root of the evil, and lead to future prosperity. There were two things which must be carried into effect, before any real good could be effected—namely, a change in the system of taxation, and a commutation of tithes.

Mr. *Hunt* agreed with the hon. member for Wiltshire, that all enactments must prove complete failures, unless there was a general relief from the present weight of taxation; but in the mean time he begged to assure the hon. member for Sussex, that if he would bring in such a Bill as he suggested, he should be happy to give him his support.

Sir *Charles Burrell* said, that as it had been remarked that Ministers ought to introduce a Bill on the subject, he believed, the reason why they declined doing so was that they considered the undertaking would be more satisfactory if it did not proceed from Government.

Petition to be printed.

HEMP AND FLAX.] Mr. *Horatio Ross*, on presenting a Petition from the Chamber of Commerce and Manufacturers, and of Merchants, Ship-owners, and others, of Dundee, for equalizing the duty on Flax, and for a drawback on Hemp in bonded warehouses, &c. said, this Petition was signed by almost every merchant and ship-owner in the town of Dundee; and the prayer of the petitioners was, that they might be relieved from the present high duty on hemp. Being well acquainted with that part of the country, he begged to inform the House, that the great mass of the population, not only of Dundee, but of all the neighbouring towns and villages, were employed in the manufacture of hemp and linen goods. Having for about eight years received bounties upon the exportation of these goods, which had varied from fifteen to twenty-five per cent, they had been enabled to compete with, and even undersell, the foreign manufacturers; and hemp and linen goods to an immense amount were now annually exported to various parts of the world from Dundee and that part of Scotland, giving employment to many thousands of our countrymen. In 1825, a gradual reduction of those bounties commenced, and, at the same period, as a bonus to the manufacturers and shipping interest, the duty on hemp was reduced from 9*l.* 6*s.* 8*d.* to 4*l.* 3*s.* 4*d.* per ton; and he believed he might state, with perfect truth, that there was, at that period, a distinct understanding between the Government and those who were interested in that branch of trade, that the duty on hemp was to be taken off entirely when the bounties ceased. On the 5th of last January these bounties ceased; but this oppressive duty on hemp was continued. It required no argument, he should think, to satisfy the House, that if our manufacturers were obliged to pay a high duty, amounting to 4*l.* 3*s.* 4*d.* per ton, on the importation of hemp, it was quite impossible for them to continue to export goods made of that article, and to compete with the Germans and other foreigners who had the raw material so much cheaper. It was evident that the consequence of persisting in exacting this very impolitic duty must be, that that branch of trade would be entirely lost to us, and an immense number of unfortunate people thrown out of employment. If, however, this duty were taken off, we should not only be able to maintain our present export trade, but even to extend it; and it would be attended with another advantage. At present almost all the vessels employed in the Baltic trade supplied themselves with cordage in foreign parts; but if the duty on hemp was taken off, they would naturally purchase their cordage at home, which was, in general, very superior to the foreign, and by this means an additional number of hands, indeed to a great amount, would receive employment in the manufacture of ropes and cordage. He was quite aware that, owing to the state of the revenue, this was not a very convenient period to call upon the House to relinquish any duties; but, looking at the great benefits which would be derived by so many industrious individuals who were interested in this question, and looking at the inevitable consequences that must result to them if it were continued, he did think that the trifling loss of revenue was not worthy of a moment's consideration. At present, the amount of duty received upon the importation of hemp, amounted to only between 60,000*l.* and 70,000*l.*; but from this must be deducted a large sum, which had been annually repaid in the shape of bounties upon the exportation of articles manufactured from hemp, so that the sum actually received by the Treasury must be very small; and, for the future, it will be still less, as the high duty would operate as a prohibition, and little or no hemp would be imported. He, therefore, did trust, that as great benefits would be derived by many thousands by taking off this duty, and as the loss of revenue would be so trifling, his Majesty's Government and the House would take the prayer of the petitioners into their earliest and most favourable consideration.

The *Lord Advocate* hoped that the Government would be able to put these duties on such a plan as to bring the trade of this country into a natural state of competition with that of others.

Mr. *Hume* said, the prayer of the petition was of considerable consequence to the whole community. Although the tax on linen had been withdrawn, that on hemp and other raw materials was still continued, for which reason it was impossible for this country to compete with others. In his opinion, the tax ought to be taken off: the loss of revenue was of no importance in comparison with the evil caused by the tax.

Petition to be printed.

CHOLERA MORBUS.] Lord Althorp having moved the Order of the Day for the House to resolve itself into a Committee of Supply,

Mr. *Hunt* begged to take the opportunity of stating one or two facts which had come to his knowledge respecting some cases of Cholera Morbus, in the hope that his Majesty's Ministers would take care to prevent a repetition of such conduct. A man in the early part of the day had been attacked by the disease at Hoxton. A surgeon pronounced it a decided case of Spasmodic Cholera, and the individual in question was taken in a coach to Bartholomew's Hospital, where he was refused admittance, as no Cholera cases were taken in there. He was next carried to the building in Abchurch-lane, given up by the Lord Mayor for the time being, and to be at the disposal of the Board of Health, as was understood, for Cholera patients; but the man was also refused admission there, as the house was only for individuals in the neighbourhood. He was next conveyed to the Surrey Dispensary, in consequence of an advertisement that all persons would be received there without tickets. It appeared, however, that he could not remain there; and, after having been bled by the surgeon of the establishment, he was finally carried to an empty house in St. George's-fields, opposite Bedlam. Now, when he said he hoped Government would prevent a repetition of such a case, all he meant to say was, that it was their duty to see that suitable places were provided in each district, and that a person afflicted with the disease should not be hawked about through the city to Bedlam. He did not mean to impute any blame to the Lord Mayor; on the contrary, he thought his Lordship deserving of great praise for giving up the building, and for the convenience provided. The fact was, the house in Abchurch-lane was intended only for persons in the neighbourhood of the Exchange; and, to the credit of the authorities, it was amply provided with both clothes and flannel, which would be distributed when wanted. The nobles of Moscow gave up their mansions to those afflicted with the disease, and he was glad to find that the Lord Mayor had done the same, and set an example worthy of imitation. Another case was that of a sailor, who had been conveyed in a cabriolet in a similar way, from one place to another, and at last placed with the other patient in the house opposite. He thought it was extremely improper that coaches and cabriolets should be used in such a way. It was remarkable that, in a district like that of Hoxton, no receiving-house had been prepared.

Mr. Alderman *Venables* said, it was very true that the person just alluded to by the hon. Member had been refused admittance in the city temporary hospital, but the case had turned out not to be one of Cholera at all. The man had recovered, and there was no reason to believe he had suffered from Cholera.

Sir *Robert Peel* rose to express his great regret that hon. Members, in bringing forward cases of that kind, should do it in a way which would have a tendency materially to injure large classes in the metropolis. After what had fallen from the hon. member for Preston, it would go forth to the public to-morrow that the public conveyances were used in conveying Cholera patients to the hospitals. What the hon. Member ought to have done was, to take the number, and state the circumstance to some member of the Government. He was sure the hon. Member would be as sorry as any one to make a statement which might involve in distress a large and industrious class of individuals, and was convinced, if the hon. Member had been aware of the consequence, he would not have publicly made such an announcement. He, therefore, hoped, that Members, in mentioning any cases, would carefully avoid stating needlessly what might injure individuals.

Lord *Althorp* entirely concurred in what had fallen from the right hon. Baronet, and could only follow up the remarks which he had made. When hon. Members had any particular cases to mention, or grievance to complain of, it would be desirable, in the first place, that they should state them to some of his Majesty's Ministers, or some one connected with the Government. Unless Gentlemen observed discretion in a case of that kind, useless alarm might be given, which would only tend to add to the evil, and injure private individuals.

Mr. *Hunt* said, he had endeavoured to get the number of the cabriolet, but could not. As to what fell from the hon. Alderman, he could only say, that he had sent his servant to the house in St. George's-fields, and at half-past three the man was in extreme danger.

Mr. *Hume* was rather surprised at what had fallen from the hon. member for Preston, as he had understood from the Chairman of the Board of Health, that places for the reception of patients were prepared in every district. He, therefore, thought there must be some mistake in saying that there was no such place at Hoxton. If such, however, was the fact, he submitted to the noble Lord the necessity of immediately providing proper houses for the purpose.

Mr. Alderman *Venables* wished to know whether Government had made any new regulations respecting quarantine, now that the disease had shown itself in the metropolis.

Lord *Althorp* could not answer the question at present.

CASE OF MR. MARSHALL AND DR.

Bowring.] Mr. *Dawson* begged leave, before the House went into Committee, to take that opportunity of protesting against the course which had been followed the other night in voting away money after twelve o'clock. On the understanding that the rule which had been latterly observed by the last Government would have been adhered to, he had left the House, and consequently had not an opportunity of opposing two grants to which he wished now to call the attention of the House. The first was a vote of 500*l.* to Mr. Marshall for his Statistical Tables. That was no doubt, a very useful and valuable work; it had gone through two or three editions, and he had bought a copy of it, and he believed many others had done the same. He thought, therefore, that as the work contained so many valuable statements, and had gone through several editions, the author would have been recompensed for his trouble by the sale, without a grant from Government. If the book contained valuable information for a certain class of people, it would be bought up as fast as the works of Lord Byron and Sir Walter Scott were purchased by another class. He was, therefore, utterly at a loss to understand why this money had been voted, unless, indeed, it was because its author had for many years been a protegé of the hon. member for Middlesex, and had formerly been in his employment. Owing to these circumstances, and to his recommendation to the Government, the grant had probably been made. Had any other thing of a similar kind been proposed at two o'clock in the morning by the late Ministers, he was sure it would have been opposed by the hon. Member, who, by the way, was in the House at the time. The reply of the hon. member for Middlesex was, that he would vote anything for the sake of Reform, and by his recommendation he believed the 500*l.* was given to Mr. Marshall. The other item against which he protested was, the vote of 900*l.* to Dr. Bowring for his services in inquiring into the mode of keeping the public accounts in France. That learned Gentleman, after making the inquiry, and laying the plan before Government, concluded by saying, that it was a system, in comparison of others, beyond all praise, and that it was the most perfect system yet discovered of keeping the public accounts; yet, no sooner was such a statement made, than the cashier of the French Exchequer ran off with between 200,000*l.* and 300,000*l.* In the old antiquated bungling system, which had long been followed in this country, no such malversation had taken or could take place. A clerk might run off with 2,000*l.* or 3,000*l.* but no one ever heard of a Secretary or Treasurer carrying off anything like such a sum as had been embezzled in France. As he could not then oppose the votes, his chief object in making these remarks was, to let the country see how well the economists could, when they had the opportunity, take care of their friends.

Mr. *Hume* said, that the right hon. Gentleman had once or twice before adverted to the case of Mr. Marshall, and, in order to arrive at the true state of the circumstances, it was his intention to move for copies of the Treasury minute, in order to see the authority on which the grant had been made; and he was convinced that, on due consideration, the vote would be found most justifiable. He was astonished, however, at the right hon. Gentleman making such a charge—a Gentleman who, while in office, had sanctioned the most extravagant proceedings, and voted away thousands and tens of thousands of the public money; yet when the sum of 500*l.* was granted to one, and 1,000*l.* to another gentleman, for valuable services, the right hon. Member came forward, and complained as if some notorious job had been connived at. He should be ready to answer for the first case, and he had little doubt the right hon. member for Queen's County (Sir H. Parnell) would be able to defend the other. He had every reason to believe that the gentleman alluded to by the right hon. Member had rendered the right hon. Baronet great assistance in bringing forward the public accounts. He must again repeat his surprise that the right hon. Gentleman, who with his colleagues, had been so prodigal of the public money, should come forward now and complain of such grants, for his part, he must say, that he agreed to the vote at the hour mentioned, because he did not wish to stop the Reform question, and because he was aware that the object of the right hon. Gentleman, and some of those with whom he acted, was to delay the discussion till next day, in order to retard Reform. A charge of passing a vote for 500*l.* at that late hour came with a bad grace from one of the party who had spent 40,000*l.* on a marble arch, and 250,000*l.* more on a

Palace, without the sanction of Parliament. He was most anxious to compare notes with the right hon. Gentleman on the subject, because where the right hon. Gentleman had squandered away money by hundreds and thousands, he would challenge him and defy him to prove, that the other party had done it at all. He utterly denied that the case alluded to was a job. He denied altogether that he could be charged with a job. Let the Treasury only produce the authority on which the grant was made, and he should be ready to defend the case on public principles.

Lord *Althorp* concurred in the general principle that it was wrong to make grants of the public money to authors, but he was prepared, on the showing of the right hon. Gentleman, to defend the conduct of Government on this occasion. The right hon. Gentleman had told the House that he conceived the work so valuable, that he purchased a copy of it. Now Government had done nothing more. They had merely advanced the money to Mr. Marshall on the condition that he would furnish copies of his tables to all the public offices. It was altogether, a matter of bargain and sale between the parties. As to the grant to Dr. Bowring, he would only remark, that that gentleman had been regularly employed by Government to examine into the system of keeping public accounts in France—a system which there was no doubt, contained many advantages: and the item to which the right hon. Gentleman objected was charged as remuneration for this employment. Many valuable suggestions were contained in the report of Dr. Bowring, and he did not think that the sum was more than ought to have been given when the trouble to which that individual was put came to be considered. The case of malversation in France alluded to by the right hon. Member did not arise from any defect in the principle of carrying on business in France, but from the checks which Dr. Bowring had praised having been omitted.

Sir *Henry Parnell* said, it was at the recommendation of the Finance Committee that Dr. Bowring had been employed, and he willingly took upon himself the responsibility of the sum charged for his remuneration. That gentleman had been recommended as well qualified, for the office of examining the French mode of keeping accounts by a Member of the late Administration. From the two reports which he had drawn up, as to the mode of keeping the accounts in France, with respect to the military expenditure of that country, and the expenditure of the Colonial Department, it was obvious that he possessed much skill and knowledge on such subjects, and that the money was well earned. With respect to what had been asserted by the right hon. Gentleman as to the fraud practised, that fraud was detected in consequence of the regulations. He really thought nothing could be more unfounded than the objections made to this grant. The French system was the result of many years' laborious investigation, and it appeared to him absurd to put our chance-begotten plan in competition with it.

Mr. *Dawson* denied that he wished to object to bringing up the report of the Committee of Supply the other night, as the hon. member for Middlesex had somewhat presumptuously stated for the purpose of delaying the Reform Bill. That hon. Gentleman, if not asleep on that occasion, certainly betrayed an obtuseness of understanding such as he frequently exhibited in that House. He did not object to the whole of the civil contingencies, but merely wished to have an explanation with respect to two items in that report—viz., those which gave sums of money to Mr. Marshall and Dr. Bowring. He wished for information upon that subject, and could not obtain it, the bringing up the report at the hour he had mentioned took him by surprise. He still thought that Mr. Marshall would not have received any remuneration, had he not been a protegé of the hon. Member, and he still thought the remuneration given to Dr. Bowring much too large. He hoped that the noble Lord would cause an estimate to be submitted to the House, before he Commissioned Dr. Bowring to execute any more public works.

Mr. *Baring* as a member of the Finance Committee was bound to say that the public accounts submitted to that Committee were not kept on a correct and simple principle. He, therefore, considered expenditure on an inquiry of that nature was money well laid out, for it was notorious our system of keeping public accounts was most wretched. He would take an early opportunity to examine the reports which had been made by Dr. Bowring, and then he should be better able to judge of their value. As he had just stated, he really thought money expended on that subject was usefully employed, provided the person selected was fully qualified to execute the task.

CASE OF CAPTAIN SARTORIUS.] Captain *Yorke* requested the attention of his Majesty's Ministers to the paragraph on which his question would be founded. It was this, and was to be found in *The Times* newspaper of the 15th inst.

"Letters from Belleisle of the 10th announce the sailing, on that day, of the first division of the Portuguese expedition. The following order of the day, addressed more particularly to the English auxiliaries, was issued by Admiral Sartorius on the occasion. Order of the day.—The Commander-in-Chief of the expedition hastens to make known to the seamen and soldiers of the division, that his Imperial Majesty has been pleased to confirm the gift of the equipments which the Vice-Admiral, in his reliance on the well-known high-mindedness of the Emperor, had taken upon him to promise. His Majesty has, moreover, not only ratified the allowance of 55*s.* monthly pay, but, in order to testify his high opinion of the English seamen and soldiers, especially with regard to those who are under the command of the Vice-Admiral, he has increased that pay by 5*s.* a month, during all the time that the Queen's flag shall remain hoisted on their vessels. The Vice-Admiral calls on his shipmates to second his efforts with heart and hand in a cause which, next to that of their King and country, is the most noble that an Englishman can serve—a cause laudably undertaken for the purpose of restoring an august Princess to her Throne—of opening the dungeons of thousands of victims, whose only crime has been fidelity to their duty and their oath—and of enabling Portugal to regain that constitutional liberty which has so greatly contributed in giving to your own country the sovereignty of the seas, and placing you among the first nations of the world. His Majesty's intentions are humane and conciliatory; but if they are disregarded, it will be then for us to prove, as true Britons, with the help of Providence, that reliance has not in vain been placed in our courage and our arms, for the purpose of succouring the oppressed, and procuring the liberation of the innocent. —*Belleisle, Feb.* 4."

He wished to ask the noble Lord whether Admiral Sartorius held a Commission in his Majesty's service?

Lord *Althorp* believed that the person described as Admiral Sartorius, had been a captain in the Royal Navy, but he was not prepared to say whether he still held his commission or not.

Mr. *Robinson* said, he remembered well that a proclamation had been issued by Government some years ago, forbidding the King's officers from entering into the service of the South American Colonies on declaring their independence, and he thought the same course ought to have been pursued on the present occasion. The noble Lord professed himself unable to give an answer whether Admiral Sartorius continued still in his Majesty's service, but surely the attention of Government ought to have been called to that point on the sailing of the expedition of Don Pedro from Bellesile in which it was said a large number of British troops and sailors had embarked. It was a question of importance to ascertain whether the Government preserved a strict neutrality between the two branches of the House of Braganza. He was afraid it would turn out that they had given, not directly, certainly, but indirectly, some assistance to the expedition against Portugal, and in doing so he begged to observe that the British interests in that country were sacrificed.

Sir *James Graham*, who just then entered the House, stated, that he had no hesitation in answering the question. Captain Sartorius did remain on the list of captains liable to serve his Majesty; but he begged to remark, that, although on the list, he was not to be considered in the employment of the King; for there was a provision which prohibited any of his Majesty's officers who entered into foreign service, from receiving their half-pay while so engaged. Therefore Captain Sartorius, being engaged under Don Pedro, did not receive the King's pay. Nor, indeed, could he, or any other officer do so, without making affidavit that they were not engaged in the service of any foreign prince. He begged further to add, that Captain Sartorius was at present absent without leave.

Colonel *Davies* was glad to hear from the right hon. Baronet, that Captain Sartorius was still on the half-pay list, and he hoped that he would long continue so. After the debate relating to Portuguese affairs a few nights since, he must say, he felt a little surprised to hear his hon. colleague take this opportunity of reviving that discussion; Don Miguel himself would be astonished when he found that he had an advocate in one of the friends of Reform and of liberal institutions. If the strict neutrality which his hon. colleague advocated had always been preserved, Don Miguel would most likely be at this moment a prisoner at Brazil, whither he would have been sent by the liberal party, but for the interference of this country.

Sir *Robert Peel* observed, that the advice of the hon. Gentleman, in recommending his hon. colleague not to revive the debate on the affairs of Portugal, was much better than his example. He presumed that the right hon, Gentleman was aware that, by the Foreign Enlistment Act, any person, a subject of his Majesty, who should, without license from the King, accept a commission from a foreign state, was thereby guilty of a misdemeanor, and might be punished by fine and imprisonment. He, therefore, must say, that he thought the conduct of Captain Sartorius deserved the cognizance of his Majesty's Government.

Colonel *Evans* observed, that the officer alluded to was amenable, if he had violated the law, and if he had done so, any one might prosecute him; but he thought that at least it was not the business of the House to interfere and press on the Government a prosecution of this kind. There seemed to him something of the spirit of party in this sort of conduct.

Sir *Henry Hardinge* said, that a more unprovoked attack than that which the gallant Colonel had just made he had seldom witnessed. His gallant friend who asked the question had merely demanded whether Captain Sartorius was an officer in the British service, without any intention to urge a prosecution against that officer.

Colonel *Evans* repeated his belief that there was something of a spirit of party in the question, for he did not think that when Marshal Beresford was appointed to a command in the Portuguese army, anybody had come down to that House to ask whether Marshal Beresford was an officer in the British service.

Mr. *C. W. Wynn* believed, that the gallant Colonel would find that Marshal Beresford had not accepted a command in the Portuguese service without a special license from this Government. The Government had a right to grant the license; and the only point at present was—whether they had given the license. If they had, and if they approved of Captain Sartorius accepting a command in the Portuguese service, there was an end of the question. Another might certainly then arise—whether they had acted wisely in granting the permission? He should only now observe, that he objected to such permissions; tending, as they did, to encourage the violation of the law. While the law existed, he thought it ought to be obeyed. If it was a bad law, it ought to be repealed.

Sir *George Clerk* wished to ask, whether Captain Sartorius had leave of absence? He would not ask whether the Government had given him a license; for, after the repeated professions of neutrality put forth by the British Government, he should not entertain for a moment the idea that they had granted a license. He should also beg leave to ask, whether, in the leave of absence, there was not always inserted a clause, absolutely prohibiting the officer to whom it was granted from entering a foreign service? If that was so, and Captain Sartorius had entered into foreign service, he would be offending, not only against the Act of Parliament, but against the positive prohibition of the Admiralty.

Sir *James Graham* observed, that, in the answer he had before given, he had anticipated the present question. He had stated distinctly to the House, that not only Captain Sartorius could not draw his pension, but that he was absent without leave. He thought, after this, that it was quite unnecessary to add that no license could have been granted.

Sir *Robert Peel* protested against the supposition, that a question of this kind was always put to the Government from a spirit of party, and with a view to oppress individuals. He did not think that, in the present case, it would be necessary to act with severity. It was not necessary to remove the officer from the British service; but his Majesty might recal him from the foreign service, and if he did not choose to obey that call, might then dismiss him. His Majesty possessed the requisite power, and it was a power that might be most beneficially employed.

The House then resolved itself into a Committee of Supply.

SUPPLY—ARMY ESTIMATES.] Sir *John Hobhouse* stated, that according to the plan which the Ministers had brought forward, with the sanction and unanimous approval of that House, he had now to propose to the Committee the quarter's Estimates. He was sorry that he should not be able to give to the Committee so fair and flourishing an account of the department, on the duties of which he had recently entered, as his right hon. friend had given of the Admiralty Department. But the country would bear in mind, that, since 1820, there had been a considerable decrease in the charge for the Army. Notwithstanding that the amount of the forces, and all the other departments, were not much less than at that time, and although there were now some additional Estimates, the decrease in the charge since 1820 amounted to 684,000*l.* He had been but a short time in office, and, therefore, was not responsible for the Estimates, which were, in fact, but a part of the Estimates for the year 1831, but he had seen enough since he had been in office to incline him to think that it was impossible for any Government to maintain a military establishment on a more diminished scale for the ordinary service of the State. He would now proceed to state the various items of expenditure, and he trusted he should be able to make himself clearly understood. At any rate, he held himself ready to answer every question that any hon. Member thought would elucidate his statement. The charge for the effective service was 896,831*l.* and for the non-effective service, 726,211*l.*, showing a decrease in this quarter, as compared with any quarter of the last year, in the effective service, of 15,300*l.*, while there was, in the non-effective, an increase of 35,131*l.*, and, before he proposed the individual votes, perhaps it would be as well that he should shortly run over the abstract of each of these services. The vote for the Land Service was 805,961*l.*, showing an increase of 17,922*l.* for the quarter. He should be able to explain that when he came to that particular vote. The charge for Staff Officers was 30,667*l.*, showing a decrease of 463*l.* The charge for the Public Departments was 25,246*l.*, showing a decrease of 728*l.* The charge for medicines was 3,000*l.*, showing a decrease of 105*l.* For Garrisons, 8,425*l.*, being a decrease of 34*l.* For the Royal Military Colleges, 991*l.*, being a decrease of 416*l.* For the Military Asylums, 4,433*l.*, or a decrease of 581*l.* For the Hibernian Schools, 1,360*l.*, or a decrease of 270*l.* There was likewise a large decrease upon the Volunteer Corps, as the charge for the Volunteer Corps of each quarter of last year was 47,571*l.*, while, on the present quarter, it was 16,768*l.*, showing a deduction in the quarter, on this charge, of 30,683*l.* The House would, therefore, see, that the decrease on the whole of the estimates for the effective services was upward of 15,300*l.* With respect to the non-effective services, the charges were as follows:—For general officers, 32,200*l.*, being a decrease of 1,550*l.*; for retired full-pay, 23,000*l.*, being a decrease of 825*l.*; for half-pay, &c., 169,600*l.*, being a decrease of 4,850*l.*; for foreign half-pay, 22,425*l.*, being a decrease of 400*l.*; for militia retired officers, &c. 6,684*l.*, being a decrease of 109*l.*; for widows' pensions, 36,980*l.*, being an increase of 36*l.*; for compassionate allowances, &c. 44,047*l.*, being a decrease of 1,108*l.*; for in and out pensioners of Chelsea, &c. 378,579*l.*, being an increase of 44,583*l.*; and, for superannuations, 12,696*l.*, being a decrease of 646*l.* There was, therefore, an increase upon the whole of these Estimates for the non-effective services, of 35,131*l.* The first vote to be submitted to the Committee was the number of land forces; and he would take the present opportunity of making a few observations with reference to that subject. The House would recollect that, in the year 1830, the rank and file amounted to 69,125 men. In the year 1831, however, in consequence of the disturbances in England, it was thought advisable to increase the establishment of the army, by adding to the effective force 7,261 men. Since that period, certain battalions had returned from abroad, the effective force of which amounted to 3,256 men, so that upon the whole an effective force of 10,516 men was made available in consequence of the unfortunate state of the country. There was an apparent increase of rank and file of 897 men; and of 1,005 men of all ranks: but this increase did not exist in point of fact. The whole of the real increase amounted to 158 men, and the remaining apparent increase was occasioned by the return of a regiment from India. This regiment had been maintained by the East-India Company during its passage to this country, and was now, being returned, placed on the effective list of the army. The increase of expense on this head amounted to 18,000*l.* He had thus made to the Committee a brief statement of the Estimates, and would content himself with moving a Resolution, that the number of men employed in the land forces, from the 1st of January 1832, to the 1st of March, 1832, be 89,483*l.*, exclusive of regiments in the territorial possessions of the East India Company.

Sir *Henry Hardinge* said, that every one who was acquainted with the talents of the right hon. Baronet must have expected the business-like manner in which he had made his statement this evening. He was sure, that the public service and the Army would be satisfied with the effective manner in which he would discharge his duty. The purpose for which he rose was, to recommend the Ministers to introduce the Army Estimates for the ensuing financial year previous to the 24th of March, as that was the last day beyond which the re-enactment of the Mutiny Act could be delayed. With respect to the present Estimates, he would only say, though he was aware that the right hon. Baronet was not accountable for them, that the increase of 35,000*l.* in the non-effective service, and the decrease of 15,000*l.* in the effective service, had not been sufficiently explained.

Sir *Henry Parnell* said, that the present were merely supplementary Estimates, founded on the Estimates of last year, and it was not, therefore, to be supposed, that the right hon. Baronet could propose any reductions; but he thought the circumstance of the House being called upon to vote supplies for a quarter, half of which had already passed by, showed pretty plainly the necessity for altering the commencement of the financial year. When he was in office, he certainly had not made any distinct propositions of reduction; but he had offered suggestions for a considerable retrenchment, and he knew that there was room for effecting a considerable saving this year in the army expenditure.

Colonel *Trench* considered that the arrangements made in the Army Department by Sir Henry Hardinge were so admirable as not to be susceptible of improvement. That right hon. Gentleman had effected considerable reductions; and he thought that to carry retrenchment further would only injure the effective condition of the army. He, therefore, was no friend to the right hon. Baronet's (Sir H. Parnell's) plans of retrenchment.

Sir *Henry Parnell* said, it was quite impossible that the gallant Officer could be aware of the nature of his plans of retrenchment; and it was, therefore, somewhat surprising that they had received his condemnation. Perhaps the gallant Officer judged of his schemes from certain absurd rumours which had lately gone abroad, which, he begged to assure him, were utterly without foundation.

Colonel *Trench* imputed no blame to the right hon. Baronet; but one of the measures which he understood was to be ascribed to the right hon. Baronet, and of which he did not approve, was the refusing to allow the usual brevet rank on the occasion of the late Coronation.

Lord *Althorp* said, that he had lately heard many reports respecting the measures of retrenchment which the right hon. Baronet had intended to propose, none of which, he would venture to say, had the least foundation in fact. With respect to the brevet rank, the ground on which the Government refused to grant it at the late Coronation was, because a large promotion had taken place a short time before.

Sir *John Byng* said, if hon. Members knew the fatiguing duties which the Army had to perform as well as he did, they would be of opinion that the establishment was too small instead of too large.

Mr. *Hume* was prepared to agree to the Estimates for the present quarter, without any objection, as he was aware that his right hon. friend had not had sufficient time allowed him to make himself acquainted with the details of his office. Knowing also, that it was the intention of the Government, that the Estimates for the present quarter should be the same as the last, he should not have done more than express a wish that the next Estimates would be reduced, but that the right hon. Baronet had made some observations which he felt called upon to notice. The right hon. Baronet ought not to have compared the year 1820 with the year 1831, for several reductions took place in the years 1821, 1822, 1823, and 1824, in the military force; and it was with the lowest of these years that the comparison ought to have been made. The reductions amounted altogether in those years to 25,000 men, and there was a consequent saving to the country to the amount of 800,000*l.* a-year. There was now 20,000 troops more than in 1824, with which year the comparison ought to have been made.

Sir *John Hobhouse* begged pardon for interrupting his hon. friend; but his hon. friend completely misapprehended the nature of his observation. He said, that although the number of troops now was nearly equal to the number in 1820, yet the expense was 684,000*l.* a-year less.

Mr. *Hume:* Certainly, the number of troops was nearly the same; but he did not see what necessity there had been for increasing the Army since 1824. In that year 22,000 men were disbanded; 13,000 men were added in 1825, and 7,000 were added last year. There were, at present, 20,000 more troops than at the commencement of 1825. For that enormous increase, no satisfactory reason had been assigned. It was our military establishment that was the great source of expenditure, and it must be reduced before there could be a reduction of taxation The gallant General (Sir John Byng) said, that the soldiers were constantly employed, but there was no merit in that; for why keep up an army if there was no employment for it? An idle soldiery was the most mischievous class in the community. He expected that his Majesty's Ministers would make great reductions in the next Estimates. And he must say, that the whole expense of the army ought to be furnished under one head—that the artillery and engineers should be included in this vote, as well as the horse and foot. He was confident, if hon. Members were acquainted with the whole number of men connected with our military establishment, that they would be greatly astonished. He had no doubt that his right hon. friend would find an ample harvest of reductions, if he went zealously to work. He must beg leave to tell the noble Lord, that if he and the rest of his colleagues in the Government were determined to keep up such enormous military and naval establishments, they would lose the confidence of the country. He hoped among other branches of the service, that a great reduction would be made in the artillery. He admitted that it was a most important and meritorious corps, and that the officers were men of great science; but it ought to be reduced, as the number of men was quite disproportionate to the service they were called upon to perform. It would also be advantageous if the Secretary at War performed the duties of Clerk of the Ordnance, and managed all the Estimates for the military. At present, the Secretary at War, was the mere clerk of the Commander-in-chief, and promotions were made in the army without his knowledge. Before the French war, the Commander-in-chief confined himself to his proper duty of an executive officer. But now that officer assumed too much authority, and it would be adviseable to break down the establishment at the Horse Guards. The present Commander-in-chief ought not to be allowed to continue in office. His excellent friend (Sir Henry Parnell) was dismissed by the Ministers, because he would not vote with them on the question of the Russian-Dutch Loan, but the Commander-in-chief was allowed to retain his situation, though he would not vote with Ministers on the Reform Bill. The fact was, that an influence somewhere prevented this being done. Somehow or other the Duke of Wellington appeared still to command at the Horse Guards, and his old Secretary who was still Secretary to the Commander-in-chief, held his levees at the Horse Guards. He saw no necessity for having such an officer for such purposes. Similar levees were not held by the Secretary to the Admiralty. Whenever that Gentleman began to receive Admirals as the Secretary at the Horse Guards received Generals, and other old officers, he should certainly think it high time that he was changed. Before 1792, the Commander-in-chief confined himself to the duties of his office, and the Secretary at War was, in reality, the Finance Minister for the army, and had a complete control over the expenditure of it. Now, however, he had no doubt that even the gallant officer (Sir Henry Hardinge) when Secretary at War, found, that in many things, the Horse Guards was too strong for him; and the present right hon. Baronet, who filled that office, would find it so too. The only praise that he could give the Government with respect to these Estimates was, that they had not added to the number of brevet promotions at the time of the coronation, considering, properly enough, that those promotions were sufficiently increased at the time of the accession. There were already more than superior officers enough, and it was most inexpedient to increase them. He must complain of the mode of promotion in the army, for the old, grey-headed, meritorious officers were neglected, and young men, who had grown up like mushrooms, had been placed over their heads. He recently heard of a young man, hardly twenty-two years of age, who had the command of a regiment. Thus experienced officers were neglected, and mere youths were placed over their heads. He saw an officer, the other day, who had been twenty-three years in the service, and had distinguished himself, and yet he was kept subordinate to young men who had seen no service whatever. He was ready to admit, that the gallant officer (Sir Henry Hardinge) introduced many excellent alterations into the office over which he presided, and he only regretted that the gallant officer did not go further. He was sure, notwithstanding the reductions made by the gallant General, his right hon. friend would find an ample field to work upon; and, therefore, he trusted that next year he would be able to come down to the House and state that he had effected a reduction in the army to the amount of, at least, 22,000 men. In the Colonies there were between 7,000 and 8,000 men which could be brought away without difficulty. He was sure that the country expected as great reductions in the Army as had been made in the Navy, and that it would be much disappointed if this was not done. It had been said, that the soldiers had lately been employed on services which they had never been called upon to perform before: this arose from the circumstance that the Magistracy, on every occasion, liked to resort to military force, instead of preserving the peace by means of proper arrangements, and by the ordinary civil power of the country.

Sir *John Hobhouse* said, he was obliged to his hon. friend for his lecture; but he must say, that the field, which his hon. friend called on him to glean, had already been pretty well cleared. He would also say at once, that, since he came into office, he had seen enough of the wants of the public service to satisfy him that there were grounds of fierce debates between him and his hon. friend. They were, on certain points, he perceived, as much separated as the Poles, and there was little hope of their meeting at the Equator. With respect to the brevet which was expected at the Coronation, he could only say, that these were not times for extravagance; and he found that the omission of that Brevet saved the country 11,000*l.* a year.

An *Hon. Member* said, that the hon. member for Middlesex had shown, by his speech, how completely ignorant he was of the duties of the Commander-in-chief and the Military Secretary. It was part of the duty of the latter to see persons having communications to make on the public service; and, as a matter of convenience to all parties, particular times were set apart for that purpose, and these were called levees: further, he thought it necessary to say, that no man in the Army spoke of the promotion made by Lord Hill as being marked by anything but the strictest impartiality, integrity, and judgment.

Mr. *Robinson*, in the name of a large body of constituency who were sorely distressed, felt himself called upon to protest against the keeping up so large a standing Army. He must, therefore, urge Ministers to make up their minds, between the present moment and the period when the annual Estimates would be brought forward, to reduce the existing amount of the standing Army. In his opinion, there were no circumstances in our foreign relations, the situation of this country, or Ireland, which rendered the maintenance of so large a military force necessary. At all events, the pacifying measures which Government were about to adopt with respect to Ireland would, he trusted, enable them to dispense with the presence of troops in that country.

Mr. *Hunt* said, that the Government would never be able to do without a large standing Army, until every man had a vote for the election of the Representatives of the nation. That used to be the doctrine of the right hon. Baronet, the Secretary at War, and his colleague, at their political dinners at the Crown and Anchor; but since they had changed their places in that House, they seemed to have changed their principles. As to Ireland, there really appeared no hope of getting the army out of that country. When the Catholic Question was under discussion, emancipation was constantly advocated on the ground of economy, because it was said, that, when it was granted there would be no necessity for a single soldier to remain in Ireland. Emancipation was granted, but the Army was not withdrawn. Now, the tithes were to be extinguished—that, he believed, was the phrase used by Ministers—but when there should no longer be tithes, the people of Ireland would not be satisfied. They would then agitate the Repeal of the Union.

Sir *Henry Hardinge* said, the hon. member for Middlesex is accustomed to take great liberties with persons present or absent; and he, therefore, ought not to object to my drawing a comparison between him and the hon. member for Preston.

I think the hon. member for Preston, on all occasions, exhibits much more candour and liberality than the hon. member for Middlesex. The hon. member for Middlesex stated, that the Commander of the Forces was in the habit of making improper or unnecessary promotions. The hon. Member ought to have known, that the Secretary at War controls the appointments of the Commander-in-chief, by having possession of the purse. In fact, no promotions can take place without his consent. With respect to the Commander-in-chief's levees, it is not for his own gratification that he holds them, but because they are found to be beneficial to the service. The hon. Member objects to Lord Hill, because he is the friend of the Duke of Wellington. Why does he not object to the Master General of the Ordnance, Sir James Kempt, on the same ground? There is not a distinguished officer in the service who is not the Duke of Wellington's friend. I have never heard a more illiberal attack upon any public officer than that which has been made upon Lord Hill; and I never can subscribe to the doctrine, that the Commander of the Forces ought to be merely a political instrument in the hands of the Government. Let me remind his Majesty's Ministers of the time, when they sat on the Opposition side of this House, that Gen. Sir Ronald Fergusson constantly acted with them, and voted in opposition to the government of the Duke of Wellington; yet that gallant General received a regiment from the Duke of Wellington. I do not say this out of anything like disrespect to the gallant General; on the contrary, I entertain the highest regard for him, I am well aware that he acted conscientiously, and was well deserving of promotion in his profession. Again, there was Sir George Anson, who also received a regiment, although he constantly voted in opposition to the late Government. I say, that political feeling was not suffered to mingle with the administration of the Army, under the Duke of Wellington. I protest against the doctrine of the hon. member for Middlesex, that military offices should be bestowed for political services. I was too young to be well acquainted with the political system of promotion in the Army in 1792, but I have repeatedly heard what was the state of the British Army when under the conduct of Lord Amherst, who, although a meritorious officer, too often consented to make the interests of the Army subservient to the political views of the Minister of that day. At that time it was not uncommon to find a major or a lieutenant-colonel lying in his cradle. I say, God forbid that this system should ever be revived in this country. Referring to the promotions made by Lord Hill, I will mention the case of an officer, under whom I served for several years, who has been promoted to the command of a regiment without any application, for, or any expectation of it. I allude to Sir William Inglis, who was entirely without political patronage, was personally unknown to Lord Hill, and had nothing but his services to recommend him. With respect to the expectation of getting Brevet rank at the time of the Coronation, I never made myself in any way a party to encourage such an expectation, as I was aware of the objections on the score of economy. But is the House acquainted with the real state of the case? Shortly after the peace, in consequence of an address from the House, there was an order issued relative to the pay to be bestowed on general officers, and it was then settled that there should be three classes of unattached officers, who should be paid differently; namely, the General, Lieutenant-general, and Major-general. This was considered, also, to apply to all officers hereafter to be promoted to this rank. But, in the year 1818, his Royal Highness the Duke of York, then Commander-in-chief, and the then Secretary at War, agreed that it would be desirable to make a change in this system, as the expense was found to be very great, and effectually to stop the promotion of the lower officers of the Army. However, as acting on this principle would prevent a Brevet, in 1818 it was changed, and the Generals, when not on active service, were only to receive their regimental half-pay. Thus, a Lieutenant-general, or a Major-general, might only receive the half-pay of Lieutenant-colonel or Major, and by this change in the mode of paying the general officers of the Army, no less a sum than 212,000*l.* had been taken from them since that time, making on the whole, a saving, at the expense of the officers of the Army, to the amount of 23,000*l.* a year. Under these circumstances, the Army had a right to expect, that when the sacrifice was fairly made on their parts, there would be a more frequent recurrence to Brevet promotion. The recent withholding of that is not deserving, therefore, of such high commendation as has been bestowed on it. I must be allowed to express my approbation of the conduct of the right hon. Secretary, who acted with so much candour in telling the hon. member for Middlesex that he entirely disagreed with him in his views of economy, instead of endeavouring, by an appearance of yielding, to get over the vote to-night; and I can assure the right hon. Gentleman, if he pursues this line of conduct, he will not want supporters in this House. If unhappily, however, he or the Government should, with a short-sighted economy, adopt the views of the hon. member for Middlesex, I am sure the inevitable result will be, the destruction of the efficiency of the Army.

Sir *John Byng* said, it was evident that the hon. member for Middlesex was unacquainted with the nature of the service. The hon. Member had thought proper to lecture other persons, but had only shewn his utter incompetency for the task. He was sure that his Majesty's Government would maintain the present military establishment, if it were necessary to the welfare of the country. And he was glad that they had the manliness to avow their opinions. The reduction of 22,000 men, as proposed by the hon. Member, was perfectly impossible. With respect to the office of Commander-in-chief, he did not hesitate to say, that if it were not filled by the Duke of Wellington, it ought to be filled by Lord Hill. He earnestly deprecated any attempt to mix up political opinions with the duties of military service. And therefore, he was of opinion, that the Commander-in-chief deserved to be continued in his office for not voting upon the Reform question, instead of being threatened with dismissal.

Mr. *Hume* said, that he was not surprised at finding military men averse to reductions in the army. In his intercourse with officers, they had always shown themselves disinclined to take part against the Government of the day. They seemed to think the country ought always to be prepared with horse, foot, and artillery, ready to fight a second Battle of Waterloo. He had no personal dislike to Lord Hill, but, he thought, his Lordship ought to be removed, on the ground of his being a Member—an influential and powerful Member—of the Government. He blamed the Government, however, more than his Lordship. On the point of promotion he would say nothing more than that certain individuals had, somehow or other risen in the Army. His object was to induce Ministers to bring down the next Estimate to the establishment of 1822, 1823, and 1824, when there were but 79,000 men employed, and he thought there was nothing chimerical in that proposal. For the present, he, of course, must agree to the votes then before the House, for the time was not sufficient for the King's Government to mature their arrangements.

Mr. *Hunt* disclaimed having said any thing in justification of the present amount of the standing Army. He was most anxious that it should be reduced, but it was in vain that he raised his voice against it, when both sides of the House advocated its continuance at its present strength. It was his opinion, that whilst no more than one-seventh part of the male adult population were represented in that House, the Government would always be a Government against the inclination of the people, and would be obliged to keep up a standing Army.

Sir *John Sebright* said, it was, of course, perfectly natural that officers of the Army should be opposed to any diminution of the existing force; but though he had long ceased to belong to the Army, he concurred with them, that further reductions at present would be dangerous. He was as great a friend to economy as the hon. member for Middlesex; but, in the present state of Ireland and of the world, he was surprised to hear any Gentleman urging the reduction of our military force. If he were disposed to find fault with Ministers, it should be for not having added to the military strength of the country. As to what had been said of mixing up politics with military duties, he (Sir John Sebright) happened, when a much younger man, to have been attached to the staff of Lord Amherst, who was Commander-in-chief, and had an opportunity of knowing the injurious effects of acting on such a system. Lord Amherst was a patriotic and excellent man, not influenced in the least degree by personal partialities or motives, but he had no power over the Army—he was dictated to by the Ministry —and great injury was done to the service and great injustice was done to individuals. At that time persons got the command of regiments, who should not have had the command of twelve men. Though he was now unconnected with the Army, yet from the intercourse with relatives still connected with it, and other circumstances, he had some opportunity of knowing how the Army was conducted. Of late years it had been much improved, but if ever the Army had been commanded with fairness—if ever political objects had been kept completely out of view, and if ever justice had been done both to officers and men, it was since Lord Hill had been in his present office. He admired Lord Hill as a Commander-in-chief, the more because he was not a political partizan.

Sir *Henry Hardinge* fully concurred in the justice of testimony borne by the hon. Member who had just spoken to the merits of the Commander-in-chief. He rose, however, chiefly for the purpose of referring to one observation made by the hon. member for Middlesex. That hon. Member said, that officers did not dare to act openly in opposition to Government. Of the incorrectness of that assertion he was himself a proof. Avowing his opposition to the present Government, he had expressed himself as freely, and acted as openly, and as daringly as the hon. Member, who likes that word, could do on any occasion. When the army Estimates for the year were brought forward, he should think it his duty to trouble the Committee with his sentiments on various points connected with the military establishments of the country.

Mr. *Leader* said, that the old and hacknied story of the disturbed condition of Ireland had this night again been brought to justify the continuance of an exorbitant military establishment. But the time was arrived when something else must be done for that country besides quartering a large military force on it. In peace, it was not imperative to have as large an army in Ireland as would be sufficient for a war establishment. Since the Union, he had witnessed an expenditure of nearly 100,000,000*l.* in maintaining military, ordnance, and commissariat establishments in Ireland. Was the time never to arrive when Ireland was to be governed by other means than the military and police? As the people paid to support this expenditure, they should know the causes which made it necessary, and the benefits which were derived from it. There was a new Secretary at War, and he should have been much pleased to have heard him make his *début* by stating that he was disposed to recommend a small deduction in the military establishment in Ireland, to be applied to some branch of national improvement. Ireland was too poor a country to have so large a sum taken annually from the productive classes, to be expended on a department which added nothing to the stock of national wealth. The lavish military expenditure had failed to produce benefit; and when another 100,000,000*l.* had been expended (if it ever could be collected) it would be found that the necessity of the expenditure must come under inquiry then, if the inquiry into it be eluded now. He would strongly recommend the Ministers, (as enough money, had been expended on the military establishments in Ireland) to try what a small deduction from the Army service, and applied to the naval department, might do for the maritime prosperity of a country, the advantages of whose insular situation ought not to be neglected or overlooked. In what part of the world, with the exception of Great Britain, was there to be found so fine a field for maritime and commercial improvement and enterprise? Why should not the British Navy have docks to be repaired, or why should there not be a single naval arsenal supplied with stores, on 3,000 miles of a sea cost, abounding in harbours and conveniences. Every man in the empire was wearied in seeking to discover the causes which made it necessary to garrison Ireland with 20,000 regular troops, and 7,000 armed police. He was one of those who would gladly see the experiment tried, of a small saving in the Army, to be applied in extending naval stations, and distributing a portion of naval patronage and support to a country which had every pretension for considering itself as the most highly-favoured and important maritime position amongst the nations of Europe. He was tired of seeing marching regiments in country barracks, consuming everything, and producing nothing. If the Representatives of England wanted to spend money on Ireland, he would implore them not to overlook the great advantages which might result from the application of a small sum to naval purposes. Undoubtedly Ireland was exposed to frequent disturbance, and to sudden insurrections; and until the condition of the people of Ireland was improved, there would be a degrading competition in England with the miserable Irish labourer, and Ireland would be a disturbed country, employing, as at present, the military force of the empire. He had known the gentry in civil disturbances array themselves and defend their properties and families—they served without pay—they restored tranquillity and peace,—they would do so again and again, making the Army unnecessary in Ireland. There could be no necessity, indeed, for such services if there was good Government. Plans of relief, and measures of coercion, were alternately brought forward; but the important inquiry was, what had occasioned the disturbances, which were plain proofs of there being something radically vicious and distempered? The disease, whatever might be its cause—and that it was light no man could say, for it affected the happiness of many millions of people—had received no relief from the expenditure of hundreds of millions in support of the military force, it was time, therefore, to use some other method.

The question that the Land Forces should consist of 89,047 men having been again put from the Chair,

Mr. *Hunt* would not divide the House upon this vote; but when the Army Estimates for the year were brought forward, he should move, as he had done last year, that the standing army should be reduced by 10,000 men.

Resolution agreed to, as were also the following votes:—

305,961*l.* for defraying the charge of the land forces in Great Britain and Ireland. 30,666*l.* for the general staff officers and officers of the hospitals. 25,245*l.* for allowances to the principal officers of several military departments, their clerks, deputies, and contingent expenses. 3,000*l.* for medicines, and surgical materials.

On the question that the sum of 8,424*l.* be granted to defray the charge of his Majesty's garrisons at home and abroad,

Mr. *Hume* objected to the grant, on the ground that half of the persons who received garrison appointments did no duty. He was of opinion that if veteran officers were deserving, it would be better to pension them at once.

Sir *Henry Hardinge* said, he would leave the noble Lord, the Paymaster of the Forces, to answer the remark of the hon. Member. He believed that noble Lord had formerly satisfied himself that these appointments were useful.

Lord *John Russell* should continue to support the continuance of those garrisons.

Vote agreed to.

On the question, that the sum of 990*l.* be granted to the Royal Military College,

Mr. *Hume* said, he really thought no persons ought to be received into the College, but those whose friends could afford to pay for their education. He saw no reason why officers' sons were to be educated at the expense of the public.

Sir *John Hobhouse* said, that the number of the higher class of students was increased, while that of the lower was diminished, and that a saving would consequently accrue to the public.

Vote agreed to.

5,773*l.* was voted to the Royal Military Asylum, and the Hibernian Military School.

On the vote being put of 16,768*l.* to the volunteer corps of Great Britain and Ireland,

Mr. *Dawson* suggested, that the brigade majors in Ireland, who were hardly military men, should be discontinued.

Sir *John Hobhouse* intimated, that it was resolved that four of the ten employed should be done away with.

Sir *Robert Bateson* said, he must take that opportunity to declare, that the yeomanry of Ireland had been of the greatest service to the country; they had been grossly maligned of late, but the time would come when justice would be done to their merits.

Colonel *Torrens* disapproved of a system that placed arms in the hands of a party, for the purpose of coercing the majority of the community.

Vote agreed to, as were also the following:—170,958*l.* 5*s.* 8*d.* for regiments in the East India Company's territories, and the troops and companies and dépôts at home; and 4,800*l.* to defray the charge of Exchequer fees in Great Britain upon issues to be made for effective army services; as well as 32,200*l.* for the army pay of general officers; 23,000*l.* for the full pay of retired officers; 169,600*l.* for half pay and military allowances.

On a Resolution being moved that 22,425*l.* be granted for Foreign Half Pay,

Colonel *Evans* said, as the foreign officers for whose half-pay this charge was made, were employed by us to reestablish governments under which they now generally lived, he thought there would be nothing unreasonable in calling upon such governments to support them.

Sir *John Hobhouse* feared, that the o his decrease that could be expected from t charge, must arise from casualties.

Sir *Henry Hardinge:* As these officers engaged in our service upon certain terms, we were bound in faith and honour to fulfil them.

Mr. *Robinson* thought, the matter might be made the subject of negotiation between the governments of the various countries, where such officers resided, and probably, a commutation could thereby be obtained.

Colonel *Evans* believed some of these officers were in full-pay in the service of their respective sovereigns.

Sir *Henry Hardinge:* If so they forfeited their half-pay, unless they had his Majesty's permission to enter into such service. Probably with regard to the out-pensioners, some commutation could be made with them. Many such persons resided abroad, and it daily became more difficult to identify them. He had, when in office, endeavoured to effect this object, and, he trusted, it would not be overlooked.

The vote agreed to.

The sum of 6,683*l.* 19*s.* was then proposed to defray the charge for reduced Local Militia Adjutants, retired officers of the Militia, from the 1st of January to 31st of March, 1832.

Sir *Henry Hardinge* thought this charge ought to be inserted in the Militia Estimates, and it would be an improvement in the Estimates of the sums for the effective and non-effective services were added together, so as the whole cost could be obtained at one view.

Vote agreed to.

The next grant proposed was the sum of 36,980*l.* to defray the charge of pensions to be paid to the widows of officers of the land forces, from the 1st of January, to the 31st of March, 1832.

Sir *Adolphus Dalrymple* said, he could not suffer this vote to pass without calling the serious attention of the right hon. Gentleman, the Secretary at War, to the alteration that had been made in granting these pensions; and he could assure him, with all sincerity and truth, that it had caused great sensation among those officers of the army who had become acquainted with it. This subject was fully brought before the House in 1818,* when an alteration was made in the warrant which directed that widows, in addition to the former oath, should be called upon to swear that they had not an income equal to double the amount of their pension. On that occasion, Mr. Lyttleton, the then member for Worcestershire, brought the matter before the House, by a distinct motion, for an humble address to the Prince Regent, praying that the new warrant might be revoked, and the pensions be issued as before, when the sense of the House was so decidedly in favour of Mr. Lyttleton's Motion, that the new warrant was withdrawn. As there were many Members present who were not in the House in 1818, and who might not be aware of the footing on which these pensions had hitherto been granted, he begged to explain it. Pensions to officers' widows had formed a charge in the votes of this House ever since there had been a standing Army in the country, as would be seen by the Journals. From the year 1717, when a fund was established by a warrant of George 1st, up to the present time, no change had been made in the oath prescribed, and the pension to officers' widows had always been considered as one of the advantages held out to the officers entering the service. On this subject he begged to refer hon. Members to the Report of a Committee in 1746, and to state that officers' widows received their pensions as a matter of course, until the issuing of the warrant in the first year of his present Majesty. The new warrant did not allow a pension to the widow of an officer who married within ten years of his entering the service, and excluded those who had married beyond a certain age: he approved of those regulations. It was also stated that the pension was not to be granted to widows in wealthy circumstances; but all these provisions were expressly directed to be applied to widows of officers marrying subsequently to 1830. He, therefore, complained that the warrant had not been justly construed. Widows were now called upon to take an oath, not prescribed in the warrant, or by Act of Parliament, as to their fortune, and to furnish certificates to the same effect. He knew two instances of widows who had been refused pensions—one because her husband, in a long life in the service, had saved about 11,000*l.*; the other, because she had a few hundreds a-year from West India property, although her husband's commission must have cost him

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* Hansard's Parl. Debates, vol. xxxviii. p. 376.

5,000*l*. He also knew that several officers thinking their wives were secure of their pensions, on the faith of Parliament, had ensured their lives to add to their wives provision, and they were now afraid that, after having denied themselves common comforts for that purpose, that the pension might be refused in consequence. For these reasons, he again entreated his right hon. friend, the Secretary at War, to give the subject his most serious consideration.

Sir *John Hobhouse* said, this was rather a delicate subject, and would require the attention of whoever might be Secretary at War. He believed, however, that the hon. and gallant Member had not stated this matter quite correctly. Before the year 1830 the word "proper" was inserted in the warrants granting these pensions, since that time, upon the recommendation of the Committee which sat upon superannuations, the word "proper" had been erased, and the words "wealthy circumstances" had been substituted in the warrants. The substitution of these words had given rise to a question, whether the Secretary at War had a right to inquire into the amount of any widow's income who desired to be put on the army pension list. His right hon. predecessor in the War-office (Sir H. Parnell) was of opinion that he had a right to institute such inquiry. Still, though such was the case, there were only four instances in which a refusal to grant the pension had been given. The first was in the case of a widow, who enjoyed a clear income of 1,856*l*. a-year; the next was in the case of a widow who had 630*l*. a-year; the third was in the case of a widow who had 400*l*. a-year; and the fourth was in the case of a widow who refused to give any account of her income. He thought that it would be very difficult to draw up a scale by which to determine, when a widow having children should, and when she should not, receive a pension. But such a scale might be drawn up with respect to childless widows. The warrant expressly said, no widows had any claim as a matter of right, and he was of opinion, therefore, that no general rule could be devised to meet such cases, and the decision of them must rest, in all future years with the Secretary at War for the time being. Without going into the question further, however, at present he would content himself with saying, that there were widows in the receipt of pensions who would do well to consider whether they ought to continue to hold them.

Sir *Henry Parnell* said, that when he held the office of Secretary at War, he had consulted the best informed persons in his department, as to what had been the usual course of proceeding respecting the application of officers' widows for pensions, and that he had formed his decision upon the information which he had so received. In coming to the decision which he had formed upon this subject, he assured the House that he had been particularly desirous not to do any thing that was either unjust or severe to the widows of those gallant men who had shed their best blood in the service of the country.

Mr. *C. W. Wynn* said, it was impossible to establish any general rule to fix what were "wealthy circumstances." When he had held the office of Secretary at War, a case had come before him of the widow of a general officer who had an income of 1,400*l*. a-year, but then the lady had a large family, and her husband placing the greatest confidence in her discretion had left his whole property to her to divide among the children. He thought, therefore, that she was as fit an object of the King's bounty as another widow without such an income, but who had no such family claims. But, surely, it was no hardship that ladies under such circumstances should be called upon to make an authentic statement of their means and the claims upon them. The right hon. Gentleman, the First Lord of the Admiralty, who was a Member of the Finance Committee, must recollect that it was in that Committee that the revised warrant with respect to widows' pensions was suggested. The first article of that warrant declaring that widows had not a claim of right, was not intended to bar proper applications, but only to prevent improper ones. There could not, in his mind, be a more sacred claim than that the widow of a man who had lost his life in the service of his country, in battle, or in an unhealty climate, should be provided for. When it was agreed in the Finance Committee, that wealthy widows should be excluded from the King's bounty, the next case was to consider how that resolution could be carried into effect, and it was agreed to leave the case to the discretion of the Secretary at War, who would be guided in each individual case by the circumstances connected with it. But an investigation into private affairs was at all times odious, and he understood the affidavit required, was very unpopular in the army, and, as he believed, there might be means of obtaining the desired information by other methods, such as through the commanding officer, who had the power of recommending widows for pensions; he should advise that the affidavit might be dispensed with, particularly as only four pensions had been refused in the course of a year. It would have been better to grant them than run the risk of refusing one that deserved it, and so going on an unsound principle.

Sir *Henry Hardinge* said, that during the time that he was in office, he had acted on the principle laid down by his right hon. friend. He could not, however, admit that the distressed circumstances of an officer's widow formed the sole foundation for granting her a pension. It was the services performed by her husband in his life-time that gave her a claim after his death for some remuneration. He was perfectly aware that nothing was more unpopular in the Army than the requisition which compelled every widow to declare the amount of her income upon affidavit at the time she made application for a pension. The Secretary at War was generally at war with every one else in the Army in consequence of the numerous applications which he had to examine and to refuse. In answering applications of this kind, it was impossible to lay down any general rule, as each case differed from its fellow in several circumstances. Still the Secretary at War ought not to be too strict in deciding upon claims of this nature: on the contrary, he ought to hold the scales fairly, and to decide impartially between the public and the unfortunate applicants for these pensions.

Sir *Adolphus Dalrymple* begged to assure hon. Members, that for the last hundred years, the pensions had not been granted on account of the poverty of the widows; a warrant had been issued by Queen Anne, about the year 1708, in which the terms "indigent circumstances" were made use of; but these words were omitted on the warrant issued by George 1st in 1717.

Mr. *Ruthven* said, he had no connexion whatever with military affairs, but he deprecated any attempt to institute an inquisitorial investigation into the state of the affairs of the widows of the brave men who had died in the public service. It would be a most cruel proceeding to make any deduction in the pittance allowed to their widows. In some instances, it might be matter of regret, that pensions were obtained undeservedly, but to interfere with the general principle of pensions to officers widows on that account, was most unjust.

Vote agreed to.

On the vote for 42,047*l.* for allowances on the compassionate list, royal bounty, and pensions, &c., to officers for wounds, being read by the Chairman,

Sir *Adolphus Dalrymple* said, that a letter had appeared in *The Times* paper of Friday last, signed St. G. Lyster, upon this subject; in which that person complained, that he had been deprived of his military pension, without any reference to the late king. He knew nothing of the case, but he wished to ask the right hon. Baronet (Sir J. Hobhouse), whether he would make an inquiry into it.

Sir *Henry Hardinge* would say but a few words on this subject. This was a case of which the right hon. Gentleman opposite would find in the War-office a minute in his hand-writing. In that the whole case of Captain Lyster would be seen, and he, as responsible for the proceeding adopted towards that officer, should be at all times ready to answer any question that might be proposed with regard to it.

Vote agreed to.

On the grant for 378,579*l.* 1*s.* 7*d.* for the charge of Chelsea and Kilmainham Hospitals, and the in and out pensioners of the same,

Colonel *Sibthorp* said, that it was a shame to take a shilling in the pound from the pittance allowed to poor soldiers as a pension. How or for what purpose this deduction was made, he could not understand; but when he saw pensions to an immense amount granted to officers of state, and other high persons, he thought it was most disgraceful to take this paltry sum from the poor man who had probably been wounded in the public service. He therefore hoped an end would be put to the system.

Sir *John Hobhouse* said that this, though an apparent, was not a real, deduction from the pensions of these poor men—on the contrary, it afforded some, though a very inadequate, return for the service done to them. Formerly pensioners were allowed to borrow money, which they could only get on very disadvantageous terms; whereas now, they were paid the half-year in advance, and saved from the usurious interest they had heretofore paid. If it was taken into consideration how many of them died between the commencement of the half-year and the day when the pension became due, it would be found that the Government was a loser, and that there was no want of charity in the deduction.

Colonel *Sibthorp* said, the explanation of the right hon. Baronet amounted to this, these poor people were badly off before, and they were no better off now.

Mr. *Hume* was convinced that the business of the hospitals could be done without such an establishment of clerks as were maintained at them, and their salaries might go, if the business was properly conducted, to augment the allowances of the poor pensioners.

Lord *John Russell* assured his hon. friend, that there were no more clerks employed than was necessary, the immense number of these pensioners occasioned a very voluminous correspondence.

Vote agreed to, as was 12,695*l.* 15*s.* 1*d.* for superannuations, and 3,650*l.* for Exchequer fees on the payments for the non-effective service.

Sir *John Hobhouse* then observed, that he had pleasure in mentioning to the House that he had heard from the medical gentlemen who had witnessed the course of the Cholera in the north of England, that not one soldier had been attacked by the disease. He would also state, that a place for which Government had been in treaty was taken for the Guards, in order to secure so valuable a branch of the public service from any danger of this disorder.

SUPPLY—ARMY EXTRAORDINARIES.] Mr. *Spring Rice* brought forward the Army Extraordinaries. He begged to say, that he proposed to take a general vote for three months, to the extent of 300,000*l.* The House would perceive that a great reduction had been made in those Estimates, and he hoped a similar service would be effected on the sum which might now be voted. He should be most happy to give every explanation on the subject of those Estimates, which might be required, and he would reserve himself for that purpose.

The question was then put, that a sum not exceeding 300,000*l.* be granted for the purpose of defraying the extraordinary expenses of the Army.

Mr. *Hume* said, that the form of these accounts rendered them totally unintelligible. They seemed to be a mere cover for expenses of every description, which could not be brought regularly before the House. He would not ask his right hon. friend for any explanation of them, because he knew it must be out of his power to give it. He believed, however, there was a reduction in the whole sum charged. Surely a better system of keeping the public accounts could be had, by which each separate department could give an exact account of their receipt and expenditure drawn up by the proper officers, who should be responsible for their correctness.

Mr. *Spring Rice* said, that he had always objected to the form of the accounts, as there were a great many of the most incongruous items introduced under this head: a Government ship for Newfoundland, Indian presents for Canada, and the payment of the clergy in the same colony, appeared strangely in an account like this, and so also did the expenses of the Swan River establishment. With respect to these they formed a large and increasing burthen. The Governor, Captain Stirling, had been empowered to draw bills on the Treasury at home for any stores that might be required. He had done so, but the Government had now sent out a commissary to superintend the providing of stores, and act as a check with respect to these bills. At the same time he must state, that there were many charges to be provided for during the year, which could not be foreseen at the commencement, although their effects might be ultimately attended with a saving of the public money. For instance, in these accounts, there was a charge of 61,715*l.* for the purchase of half-pay commissions, by which an annual saving in the dead weight had accrued of 10,236*l.*, but no doubt many items appeared in their accounts which ought not to be found there, and that they afforded a facility for certain expenses, could not be denied. The great charges incurred on account of the Canadian canals, were of that character. As a general change was contemplated in the form of these accounts, it would not be right to impede this vote by an alteration.

Colonel *Torrens* said, that the late Administration ought to be made responsible for all expenses connected with the Swan River settlement. Had the proper principle of colonization been attended to, as they had been with regard to the American colonies, this country would not have been put to any expense on that account.

Mr. *Ruthven* feared the late Government had managed the settlement with more regard to private interests, than for the public benefit: more expenses had been incurred on that account than were proper, and most assuredly such charges ought not to be found in the Army Extraordinaries even if they were right.

Mr. *Whitmore* asked why this country should be called on to pay money for a colony which seemed to have been established only because a private individual wished to settle in a part of Australia.

Mr. *Dixon* asked how long it was likely that these payments would continue?

Mr. *Spring Rice* could not give a definite answer. The Governor, as he had before stated, was allowed to draw bills on the Government at home, and upon that principle he had hitherto acted. This would not, however, continue, as a commissary for this especial purpose had been sent out. There was, however, a prospect that these extraordinary supplies would not be longer wanted. He certainly was of opinion, that it was a very unadvisable proceeding to give the Governor of a colony the power of drawing bills to any extent, without the smallest check whatever. He expected a report from Captain Stirling upon the subject very soon, but at all events, it would not be prudent to act hastily on this point, as great interests might be injured by so doing.

Mr. *Hume* was aware that official persons too often considered, when appointed to colonial situations, that the public purse was at their mercy. He was surprised at the large demand that was made for the support of this colony, after the pledge that had been given by the late Government, upon its being founded, that no expense would be thereby incurred.

Mr. *Goulburn* did not know when the hon. Member had obtained the pledge alluded to. The hon. Member certainly had not received any pledge from him that the founding this, a new colony, should not be attended with any expense to Government.

Mr. *Hume's* objection applied to the circumstance of granting to a mere Captain of a ship of war the power of dispensing and controlling alone so large a sum as 24,000*l.* on account of a paltry colony. With respect to pledges, he remembered that when the largeness of the grant of 270,000 acres to one individual was adverted to in the House, it was replied, that the grant was made on condition that the country should sustain no expense. He thought, in such cases, it would be highly desirable that papers should be laid before the House explanatory of the mode of this application of money in the distant colonies.

Mr. *Spring Rice* said, the hon. Member was welcome to have all the papers in the public offices on the subject. The object proposed in appointing a Commissary to the station was to control and limit the expense, and he had been taken from the half-pay list.

Sir *George Murray* was Secretary for the Colonial Department at the period of the outfit of the colonists to the Swan River, and agreed that a pledge given under such circumstances by a Minister would be binding; but the pledge alluded to was altogether imaginary. The reason for founding this colony was purely political, lest another Power, as was expected, should send a colony thither, which would, no doubt, have proved, in time, a possible source of hostility between the two mother countries. The salaries were arranged at the smallest possible rate; but it was absurd to imagine this sort of colony could be founded without Government incurring a portion of the expenses incident to its infant state. He had never given any such pledge as that alluded to.

Mr. *Hume* begged again to remind the right hon. Baronet, that it was on the occasion when the enormous grants of land which had been given to favoured individuals was adverted to in that House, particularly the grant, in one instance, amounting to 270,000 acres, that the pledge, that no expense would be incurred had been given.

Sir *George Murray* said, it was necessary, to induce some capitalists, who could maintain the expense of bringing out colonists, and locating them there, that a large grant of land should be given, as an inducement to such capitalists to embark in so hazardous a speculation. This the Colonial Office then did to avoid the expense of transport of the individuals going out thither, which was, as he had promised, borne by the persons to whom this grant of land was made.

Mr. *Labouchere* said, that this colony had been founded on a wrong principle. He acquitted the right hon. Gentleman (Sir George Murray) of any intention to do what was not right; but the course pursued, of giving large grants of land to individuals, was pregnant with mischief. He thought it also a very doubtful policy to people the large continent of Australia with convicts. He had understood that it had not been intended to make the Swan River a convict colony, and he regretted to hear that it had become so.

Sir *George Murray* said, that there never had been an intention to make it a convict colony, and if it had become so, it was since he was out of office. The principle laid down at the formation of the settlement was, that it never should become a convict colony. With respect to large grants of land to individuals, in old colonies, it was no doubt impolitic, but in new colonies it was only by making large grants that individuals could be induced to carry out emigrants.

Lord *Althorp* was not aware of the grounds upon which the hon. Member had stated that the Swan River had become a convict colony.

Mr. *Labouchere* said, he had understood that application had been made to that effect by the settlers, and that the application had been granted. He spoke only from an impression on his own mind.

Mr. *Dixon* begged to refer hon. Members to the former policy of this country to prove that, in the establishment of a colony small grants of land were preferable to large grants, and that the latter were productive of great inconvenience.

Mr. *Hume* called the attention of the Committee to the large sum voted for Ceylon. There was a sum of 95,000*l.* more than the receipts for the year 1831 to be defrayed by this country. This fine colony was capable of supporting itself; but it was the most extravagant colony belonging to the Crown. There should be regular colonial vouchers for the expenditure, and a debtor and creditor account.

Mr. *Spring Rice* said, that the apparent large expenditure was occasioned by the redemption of debentures of a debt contracted in the Canadian war. The civil establishment was defrayed by the island, and better arrangements were now made for rendering the revenues more productive.

Colonel *Torrens* protested, in the name of the people of England, against this country being burthened with the civil expenditure of any colony.

Mr. *Spring Rice* said, that the hon. Member's protest was unnecessary, as far as regarded Ceylon, for this country was not called upon to pay any part of the civil establishment of that colony.

Mr. *Hunt* knew, from experience, that however sound the objections to votes of this description were, they were generally carried, although they might, as in the case of the 1,000*l.* relating to the supply of water to the Metropolis in the civil contingences, be postponed for a time,

Mr. *Hume* said, that no single colony paid its expenses. He begged to ask, if there was any prospect of the House having the accounts of the colonies from year to year, as had been promised?

Lord *Howick* said, there were considerable difficulties in preparing an account which was perfectly new, and of which great part was to be procured from the colonies. It was his intention soon to present one as complete as possible for this year, and a more complete one next year.

Mr. *Burge* was sorry to hear the hon. member for Middlesex say, that no single colony paid its expenses. All the colonies paid their civil and ecclesiastical expenses, and some of them a great part of their military expenses. The island of Jamaica paid the whole expenses of its civil establishment, the whole expense of its ecclesiastical establishment with the exception of the Bishop, and 140,000*l.* of its military expense.

Colonel *Davies* maintained, that there was not a single colony in the possession of this country which was not a heavy burthen to it. The Army, the Navy, the Ordnance, &c. were parts of the expenditure. In the paper in his hand he found large items for the service of Jamaica.

Mr. *Burge*, in explanation, observed, that he had never said, that the whole of the expense of the military establishments was defrayed by the colonies.

Mr. *Hume* observed, that the country was at the expense of maintaining 35,000 men in the colonies. He did not ask for an account of the expense of those colonies which did not ask the mother country for money; only for those which did.

Mr. *Keith Douglas* thought, that no man could be so silly as to suppose, that the expense in question was solely for the benefit of the colonies—it was for the general advantage of the empire.

Resolution agreed to.

Mr. *Spring Rice* said, the next Resolution he had to propose related to the Commissariat Department. There had been a reduction of 21,359*l.* upon the Estimate of the last year, chiefly caused by the diminution of Commissaries in the West-India islands, and at New South Wales; he begged leave, therefore, to move, that 398,781*l.* be granted to defray the charges of the Commissariat Department up to March 31, 1832.

Mr. *Goulburn* thought this vote ought to be postponed until they had voted the military estimate for the year. They had only done so already up to the end of March, and it was not known what number of troops would be required from that time until March, 1833.

Mr. *Spring Rice* said, there was no difficulty in dividing the vote, and taking it for the quarter only. It was, however, giving the House the trouble of taking two votes, instead of one.

Sir *Henry Hardinge* begged to inquire if the saving arose from the diminution of the number of Commissaries employed alone.

Mr. *Spring Rice:* Not altogether. There was some saving on account of half-pay, and a large saving on account of forage.

Mr. *Warburton* wished to have some estimate of the expense likely to be incurred for completing the Rideau Canal, before this vote was granted.

The Resolution withdrawn.

13,204*l.* to defray the charges for the half-pay, superannuations, and retired allowances of the Officers of the Commissariat, up to March 31, 1832; and 83,235*l.* to defray certain other charges upon the Commissariat Department, 1832, were voted.

Supply—Civil List.] Lord *Althorp* moved "that 195,000*l.* be granted to provide for the payment of certain salaries, allowances, pensions, &c., heretofore paid out of the Civil List of Great Britain and Ireland, the hereditary revenues of Scotland, and the four-and-a-half per cent, duty on sugars, but for which no provision had been made in the Civil List granted to his present Majesty." He stated, that he had hoped it would have been in his power before this to have brought in a specific Bill for the regulating the payment of the charges included in this vote, but considerable delay had been created by inquiries made at the recommendation of a Committee which had sat upon the subject relating to certain payments. This circumstance, added to the pressure of other business, hitherto, had prevented him from doing so, and, therefore, he was under the necessity of asking for this grant on account. He hoped, before the expiration of the quarter, to be able to bring in a Bill upon the subject.

Mr. *Hume* begged to be informed, whether this vote contained the exact amount of the estimates, without any deductions that might have been recommended by the Committee.

Lord *Althorp* said, the sum required was according to the Resolutions of the Committee, subject to inquiries relating to certain payments.

Mr. *Hume* understood, from that reply, that no deductions had actually been made.

Mr. *Spring Rice* said, there had actually been a reduction of 4,799*l.* in the whole expense, which had been saved under the head of pensions; 3,755*l.* of which had expired; and 1,044*l.* had been surrendered by the parties entitled thereto.

Mr. *Goulburn* said, he was happy that this vote was proposed, for the Crown was entitled to receive it on account of having surrendered the hereditary revenues at the accession, and this was a tardy acknowledgment of the gracious act, although the House, when it was announced, pledged itself to make a permanent provision to supply the deficiency, yet nearly two Sessions had passed, and the pledge had not been redeemed. He gave full weight to the cause which the noble Lord had assigned for this delay—namely, pressure of business, but he gave no weight to the minor grounds of inquiry making at the Treasury relating to some of the payments.

Resolution agreed to, and the House resumed.

Drawback on Malt.] On the Motion of Mr. Francis Baring, the House resolved itself into a Committee on the Malt Drawback Act.

Mr. *Francis Baring* hoped the Committee would allow him to make a few observations before submitting the Resolution which it was his intention to propose.

There were two classes of spirits—the one distilled entirely from malt, the other partly from raw grain. The spirits entirely distilled from fine malt paid a double duty—that which is charged on the malt, and likewise that charged upon the spirit; while the spirits distilled from the mixture of raw grain, of course, paid only the duty on the spirit. In Scotland, the spirit was entirely distilled from malt; and the smuggler was able to beat the legal distiller out of the market, inasmuch as he paid duty neither on malt nor spirit. The Government, in 1821, allowed a drawback of 1*s.* a bushel upon malt used in distillation. The drawback was increased in 1823 to 1*s.* the gallon of spirit, which was equal to 2*s.* upon a bushel of malt; and, subsequently, when the duty was fixed at 2*s.* 7*d.* a bushel, 2*s.* 4*d.* was paid, by way of drawback, to the distiller of pure malt. The distiller of raw grain received no drawback for the malt he consumed. This circumstance, combined with the great reduction of duty, had improved the revenue, and put an end to illicit distillation. The malt drawback had effected a decided good, while the reduction of the duty on spirits had been of great service in putting an end to smuggling, enabling the fair and legal distiller to meet any competition in the market. In Ireland and in England the reduction of the duty on spirits had produced the same beneficial effect as in Scotland. The amount of drawback, however, soon came to bear an enormous proportion to the sum received for the malt duty itself. In a few years the malt drawback more than doubled itself, and, at the present moment, the allowance amounted to between 300,000*l.* and 500,000*l.* At the same time it was generally supposed that this drawback was no longer a protection to the fair and legal distiller, but was become a source of great profit to the fraudulent trader. A Committee was appointed to inquire into the subject, and they had come to those Resolutions upon which he had the honour to address the House. The Committee was of opinion, that the present system of allowing a drawback on malt spirit afforded opportunities of fraud, and that no due precaution had been taken to prevent it, which the Committee conceive could only be effected by a reduction of the drawback. He would not go into the evidence adduced before the Committee, and on which these opinions were founded. Excise officers were, in one instance, sent down to examine a distillery, when it appeared that every opportunity existed for committing fraud. He was far from saying that every person in the trade was fraudulent; but in every trade there were persons less honest than others. The case does not, however, rest entirely upon this proof. The Committee inquired of some Scotch distillers upon what calculation it was, that they were able to undersell the Irish distillers. He was bound to say that the explanation was not satisfactory. There were also distillers before the Committee who had actually received a large amount of drawback, and who admitted that, though they did not commit it, that some fraud was practised. If the Committee were able to find out the existence of fraud, it would be by referring to the table which showed the quantity of malt used in the distilleries of raw grain, and the quantity of spirit produced from a certain quantity of malt. The fraudulent practice consisted in removing malt from a distillery of one description to that of the other. The proportion of malt to the quantity of spirit produced in England and Ireland is much the same, but in Scotland the proportion of spirit to malt is much more considerable. He was, however, anxious to bring forward the case, not upon any special grounds, or in reference to a particular branch of trade, but upon more general calculations: and what he had stated would entitle him to call upon the House to act upon the recommendation of the Committee, and reduce the drawback. But the case stood upon very strong grounds, even if they entirely put aside the question of fraud. The drawback was granted at first, not as a permanent, but as a temporary protection. It was meant to obtain for the legal distiller a fair position in the market. That object had been accomplished; and although he was far from wishing to take away that protection so rapidly and incautiously as to re-produce the evil which it was intended to destroy, and to cause again all the evils of smuggling, yet he was fully prepared to say, that Government ought carefully and cautiously to put an end to a system, the necessity for which no longer existed. Formerly Scotland and Ireland were combined together to defraud the revenue, and injure the fair trader, but that combination was broken up, and the habits of the people were changed.

The trade no longer required the amount of protection which was formerly requisite. What, then, was the degree of protection now required? It would be remembered that the present amount of the malt drawback was 1*s.* 2*d.* upon the imperial gallon. The Resolution he was about to submit, proposed that this amount should be reduced to 8*d.* He would state one circumstance to show that the Committee did not recommend a reduction which would excite smuggling. One of the distillers, who received the malt drawback, was asked the question whether, if he were allowed a drawback of 9*d.*, he could carry on his trade with a profit?—and he answered, yes. It was, therefore, upon the assurance that 8*d.* would be an adequate protection to the trade, that he begged to move, that the allowance of drawback now paying upon every 100 gallons of spirit, distilled in Scotland and Ireland, from malt only, shall cease and determine, and, in lieu of such allowance there shall be allowed upon all spirit in Scotland and Ireland, a drawback on every bushel of barley-malt the sum of 8*d.*

Captain *William Gordon* was unwilling to trespass upon the House, but he could not allow this stage of the measure to pass without expressing his apprehensions of the serious consequences that must result from the alterations now proposed to be made. It ought to be recollected that the present regulations were adopted after great deliberation; and they had proved efficient for the purposes they were intended to accomplish. They had effected the complete extinction of illicit distillation, and had increased, in an equal degree, the trade of the legal distiller. He, therefore, begged to assure the noble Lord, the Chancellor of the Exchequer, that if this alteration were carried into effect, he must be prepared for a very considerable increase of illicit distillation, and a great deficiency in the revenue. He was the more satisfied of this, because, since the last Session of Parliament, illicit distillation had actually commenced in many parts of the country. He was not prepared to go further into the question, but he should certainly give his most strenuous opposition to the proposed measure.

Mr. *Gillon* said, it was with very great regret that he had heard the hon. Gentleman, the member for Portsmouth, make his proposition for reducing the drawback allowance on malt. Any change of that kind was a bonus for the production of a spirit of inferior quality; it would be an excitement to smuggling; and would sacrifice the interests of the small distiller, to those of the great monopolist. The measure had been brought forward partly in ignorance, and partly from interested motives. It had been brought forward by those who were anxious to prevent illicit distillation of every description; but it was urged on by the Irish distillers, who were anxious to put down the competition of Scotch distillers, that they might be able to bring into the market their own articles at higher prices. It had not been denied that illicit distillation had materially decreased in Scotland since these regulations were introduced. Previous to the year 1821, the amount of duty collected was 5,000*l.*, and in the last year, it amounted to 100,000*l.*; and in one small island there were, in 1821, no less than 300 convictions against illicit distilleries, and last year there were only three. He was also borne out in stating, that great advantage had resulted to the agricultural interests of Scotland by this change. Formerly the whole population of that island were in league with the illegal distiller. They were forced to be so; and the farmer obtained a very precarious return for his grain, and was subject to much loss. They now had a steady and permanent demand for their produce. Another reason for this very excellent regulation was, that it gave employment to a great many persons; and the people of the sister kingdom who complained of a superabundant population, might be glad to have the opportunity of finding such a source of employment for this population. The hon. Gentleman, the member for Portsmouth, had stated, that his Resolution was founded on the Resolutions of the Committee on this subject. He had been a Member of the Committee; and would venture to say, that the Resolution of the Committee was not conformable to the evidence adduced before it. He hoped Government would pause before it proposed any alteration in a law which had been found beneficial to the revenue of the country, and afforded employment to a great part of the population. It benefitted agriculture, and materially improved the morals of the people. It was said by the hon. Gentleman, that while the malt drawback had most materially increased, the duty on malt in Scotland had not increased. He was astonished to hear that statement, because, upon the reduction of the malt duty taking place, we were led to expect a great reduction in the revenue arising from that tax. It was insinuated that smugglers were concerned in the frauds imputed to the distillers. The fact, however, was, that the smugglers purchased their malt from those who had paid the duty; so that while the illicit distiller was paying the malt duty, the legal distiller was free from it. It was attempted to be shown to the Committee, that frauds had taken place, and it was said, that the mode in which they were carried on was, by removing the malt, upon which the drawback had been paid, to the raw grain distillery; but there was no evidence to justify them in believing that any such fraud had existed, except in one single instance; and he should like to know what plan the ingenuity of man could devise which could not be abused? But the practice of smuggling from the still mouth was much more extensive, being more easy of execution. The object of the parties interested in illicit distillation was to prevent the legal distiller from competing with them in the market, and, therefore, they wished to reduce the drawback; for, as the drawback was reduced, so would the relative profit of the distillers be diminished; actuated by this motive, their object was to get rid of the drawback. The removal of malt to the raw grain distilleries, could not take place unless the premises belonged to the same individual. It so happened that there were only three distillers in Scotland so circumstanced; and since the Committee sat, one of them had ceased. He was able to solve the question why the Irish distillers were undersold in their own market. The answer was, that the Scotch distillers had been selling under prime cost. It was so stated by a large distiller before the Committee; and his conscientious belief was, that this new regulation, by diminishing the malt drawback, would throw the malt distiller entirely out of the market; it would render his buildings and machinery useless, and throw the whole trade into the hands of the large monopolists. One of the arguments of the hon. member for Portsmouth was, that illicit distillation was checked, not so much by the malt drawback, as by the reduction of the duty on spirit. He was not prepared to say, that the malt drawback alone decreased the illicit distilleries, but it must be observed, that, previous to that time the amount of malt drawback had been very small. It had been 1*s.* upon a bushel of malt. Subsequently to 1824, the duty was reduced 1*s.* a gallon on spirits, and at a subsequent period 2*d.* more. He, therefore, thought he was entitled to conclude that the reduction of illicit distillation was as much owing to this excellent regulation, as to the reduction of duty on spirits. The distillers of Scotland were as anxious as the hon. Member, or the distillers of Ireland, that an end should be put to all illicit distillation, and were ready to concur with the Government in putting a stop to every species of fraud; and they suggested that, by the introduction of an additional regulation, every species of fraud would be prevented. The regulation was, that the stock should be kept of the malt in the raw grain distilleries as well as in the malt distilleries; and another regulation which they proposed, and to which he begged the attention of Government was, that there should be a better look-out by the Excise: because there existed at present a much greater opportunity for fraud being committed by getting spirits at the still's mouth, than by any other practice that could be adopted. He would not trouble the Committee further; but it would be his duty hereafter to oppose any regulation that might be introduced, founded upon the Resolution now proposed. The noble Lord, he was sure, would be disappointed in the result of this change, and would find, that he had been led away by the clamour of interested parties. In the name, and on behalf of the people, both of Scotland and England, he protested against forcing upon them an unwholesome and unpalatable liquor. Deeming the measure equally injurious to the revenue of the country, and to the morals of the people, he should give it every possible opposition.

Colonel *Conolly* thought that the hon. Gentleman who had just sat down had not done much credit to the Irish Members for the part they had taken in this matter. He stood before the Committee, both for the distiller and the agricultural interest; and he believed that the Scotch Members would stand up for their country. He was glad that the noble Lord, the Chancellor of the Exchequer, had expressed his readiness to bring forward the proposition, which rested upon the broadest basis. It was submitted to him last Session that a manifest injury was inflicted on Ireland through the means of an equally serious injury done to the revenue of the country. This was the unanimous opinion of all the Irish Members assembled in this city, and they expressed that opinion to the noble Lord. A Committee was granted; and the hon. member for Portsmouth had stated the evidence submitted to that Committee. The injury sustained by Ireland, in consequence of illicit distillation, was very considerable, not only to the revenue, but to the morals of the people. There were a great number of facts on which he rested his assertion. The Government, a very short time since, reduced the duty 1*s.* 3*d.*, and the effects were soon seen. He had lived for many years in a part of the country where illicit distillation prevailed to a considerable extent; but, by reducing the duty, illicit distillation was almost done up. It would appear clear, to every person conversant with the subject, that the duty was even now too heavy for the licensed distiller to compete with the illicit distiller. He hoped he need not expatiate very largely on the subject; but it was one in which the character and morals of the people were involved, and everything should be done that was possible to encourage legal distillation in Ireland, as a means of improving the morals of the people. He did not consider this either as an Irish or Scotch question, although he would not give way to any man in his feelings for Ireland; but he had considered it so far as it was likely to affect both countries; and he could not but feel that the local interest of Ireland would be more materially injured, and he could not but observe how hard it was that, for the sake of preventing a partial injury to the highlands of Scotland, the lowlands of that country, as well as the greater part of Ireland, should be called upon to suffer. The whole system of drawbacks was bad; and an alteration ought to take place in the whole system of the Excise. This system had been so frequently altered partially, that now it ought to be revised altogether. It was carried on at enormous expense, and in spite of this, great frauds had been committed, and no steps had been taken to remedy these evils. It had been attended with great injustice to one part of the country, and tended to affect the morals of all. He would give his support to any measure brought forward for the protection of the highlands of Scotland; but he never would consent that a large district in Ireland should be injured, in order that a small portion of Scotland might be thereby benefitted.

Mr. *Dixon* said, this question was about to be carried by the numerical strength of the Irish Members, who had forced his Majesty's Ministers under the fear of losing their votes, to bring it forward without allowing any time for deliberation. What else could induce the Chancellor of the Exchequer to bring it forward? If he submitted to this, he would lay the foundation of all those evils against morality which had been dwelt upon. At this moment there were large districts in Scotland where smuggling was carried on to a very great extent, and none of the Members from Scotland, he was sure, would wish for the sake of any measure to give an encouragement to fraud. He hoped that the English Members, on this occasion, would assist the Scotch in opposing a knot of Irish Members.

Sir *George Clerk*, having given his best attention to this measure, was willing to support the Resolution of the hon. member for Portsmouth. He thought it would be better to take away the whole of the drawback, and to make the measure as general as possible. His hon. friends, the members for Scotland, had not considered the subject with regard to its proper bearings. In 1819, a very great increase was made in the duty on malt generally, and from that period to the time when a distinction was made, an increase in illicit distillation took place. In the course of the next year, there were complaints made that it was impossible that the malt in Scotland could bear this duty; and it was urged, that a distinction ought to be made, and it was stated incidentally that if this plan were adopted it would tend to do away with illicit distillation in that country, and it was carried in a Committee in 1821. In the three following years there was no diminution in illicit distillation, but in 1824 a complete change took place in the whole distillery laws, and it appeared that, in the very next year, there was an increase of more than double the former number of small stills, and illicit distillation considerably decreased. It appeared, from the evidence before the Committee, that very great frauds had been committed on the revenue; and these frauds were said to have arisen from its having been represented by the distillers that it would be improper to remove from their premises so great a quantity of malt; and, therefore, when the hon. Member alluded to these frauds, it must be observed, that they were not committed by the small distiller, but by the large. Although illicit distillation prevailed more in 1819, 1820, and 1821, than it had done since the drawback existed, yet, in his opinion, the reduction of the drawback would not have a similar effect.

Mr. *Walter Campbell* thought it likely, from the opposition of the right hon. Gentleman to the measure as it stood, that his mind had been biassed by information obtained from his own neighbourhood. It had been inferred, that this capability of fraud had arisen from the adoption of a particular measure; but in what single instance, where any measure had benefitted the revenue, had fraud not followed in practice? though it did not appear that frauds had been carried on to any great amount. Officers were sent down to examine into the case, and they reported that they could not discover, that frauds had taken place; and if any had been carried on to the extent represented, there could be no doubt that they must have been discovered. He would vote for any regulation which would prevent fraud. As to what had fallen from the hon. member for Donegal, it was his (Mr. W. Campbell's) most earnest wish, that Ireland should thrive, but not at the expense of Scotland. These new distilleries were not created until 1824—the year when the whole of these drawbacks were brought before the notice of the House; and if the drawback were reduced, the consequence would be, illicit distillation; and he verily believed that it had already had that effect. Before the Resolution was passed, if pass it must, it ought first to be ascertained whether the accusation of fraud was just.

Mr. *Mackenzie* said, there had been in the highland districts of Scotland, a complete range of illicit distilleries; but, since the reduction of the duty, illicit distillation had been entirely suppressed. The present measure was likely to have an injurious effect on the morals of the people of Scotland, as well as, in a great degree, to diminish the revenue of the country. It would not only affect the highland districts, but also the farmers of the neighbouring country. Such a measure as this ought not to pass without ample information being laid before the House. If the distillers in the highlands were accused of having been guilty of frauds, the facts should be proved, and then it ought to be ascertained whether this measure would prevent it in future, which he, for one, very much doubted.

Lord *Althorp* assured the hon. member for Glasgow that it was on his own conviction of its propriety, that he had proposed this measure. That conviction was founded on information obtained, not from Irish Members alone, but also from those of Scotland, who had attended the Committee; and it was from the recommendation of that Committee, and the evidence taken before it, that he considered this reduction of the drawback could be safely made. Hon. Members had rather exaggerated the importance of the question; but he looked upon it as a measure which might benefit the revenue. Illicit distillation existed in Scotland to a great extent in 1821, in consequence of which drawbacks were introduced. In 1824 a great reduction took place in the duty, not only in Scotland, but in Ireland, after which illicit distillation ceased, not only in Scotland but in Ireland; and, therefore, the cessation of illicit distillation could not be attributed solely to this drawback: the diminution of duty was the principal cause, and the diminution of the drawback could not have the effect of causing a return to illicit distillation. It was said that proofs ought to be brought as to actual fraud having been committed. But there was always very great difficulty in procuring proofs of this nature; for, if it escaped the observation of officers immediately on the spot, it was still more difficult to be ascertained by strangers. A great deal of smuggling had been proved, before this Committee, to have existed, and there was great facility for smuggling existing at present. It was possible that illicit distillation which had been destroyed in the highlands of Scotland, would recommence on the adoption of this measure. Smuggling was now carried on, and, as a preventive to that practice, this measure was proposed. The expectation of the drawback being taken away, or rather diminished, could not be the cause why illicit distillation should be on the increase. If such increase had taken place, it was not from this cause, but from the rise which had taken place in the price of spirits. From the circumstances he had now stated, he considered that there was no reason to believe, that this partial reduction in the drawback would have the effect imagined. The people of the highlands had been brought to feel the benefits of legal practices; and, in his opinion, there were grounds for the Motion in the information which had been laid before the House.

Mr. *Callaghan* would not detain the House by a repetition of any of the points so properly urged by the hon. member for Portsmouth, and the noble Lord, the Chancellor of the Exchequer, as to the propriety of the measure before the House; but he would make some few observations in consequence of what had been stated by hon. Members opposed to this Resolution. In the first place, he would call the attention of the House to this point: the Resolution altered the existing law by only reducing the amount of drawback from 1*s.* 2*d.* to 8*d.* per gallon. The advocates for continuing the former alleged, that it was necessary, in order to induce a manufacture of spirit from malt suitable to the taste of Scotland. It appeared in evidence before the Committee, that such was the preference for what was called "wee still whiskey" in Scotland, that it commonly obtained 3*s.* per gallon more in price than other spirits. It must, therefore, be evident, that where so decided a preference existed, a deduction of 8*d.* from this preference of 3*s.* the gallon could not materially affect the trade of the wee distiller; but this preference arose not from the manufacture being from malt, because nearly all the witnesses examined before the Committee agreed, that what was called malt was only a very inferior malt, in fact, a grain only partially malted; and, therefore, differing little, if in any degree, from a mixture of raw grain and malt, which was invariably used in the raw grain or large stills; therefore, the superiority must arise from other causes, not necessary now to argue. The hon. Baronet, the member for Edinburgh, had so clearly stated the cause of allowing this drawback, shewing, also, that it could have been intended only as a temporary, and not a permanent measure, that he (Mr. Callaghan) did not think any of the Members of the Government then existing would advocate the measure being continued; indeed, when the Finance Committee, of which the right hon. Baronet, the member for Queen's County, was Chairman, resolved on the abolition of all bounties, and reported especially that this malt drawback should be discontinued, the trade expected an immediate abolition; and it was only last year, when the importations of spirits into Ireland from Scotland appeared to so great an extent, that the Irish distillers in vain looked for any cause of that except the effect of this bounty; Scotland being able to receive barley and oats from Ireland, and after distilling them, to send them back to Ireland at heavy charges in the shape of spirits. They then found, on the official returns, that, in some cases, more drawback on malt was paid in Scotland than the whole duty received there. The hon. member for Argyle said, the Irish distillers then charged the Scotch with fraud, and that the evidence showed that no such fraud existed; that all the Excise officers examined proved this. The Irish distillers did no such thing as charge the Scotch distillers generally with fraud; they only undertook to show that the system was in its nature susceptible of fraud at the expense of the revenue; and, in revenue matters, where fraud could be practised, it would be practised by some persons. The evidence of Excise officers, that they did not know of frauds committed, was no proof that fraud did not exist; for how could Excise officers be cognizant of fraud, and not have made seizures and detections? The Irish distillers knew well the practicability of committing fraud, and they never undertook to prove more than a *primâ facie* case, that frauds were committed. They were not manufacturers or residents in Scotland, but they were supported by the opinion of many of the most respectable of the trade in Scotland in their view of it. There could be no doubt that some persons had an undue advantage from it. He agreed with his hon. friend, the member for Ross-shire, that this should be looked upon, not as a Scotch or an Irish question, but as a national question, affecting the trade of the three countries; and it was certain, that any undue advantage enjoyed by some traders, however partial, operated injuriously, in many cases, to all. This undue drawback, by reducing the cost of production to some, lowered the price, and the rate of profit generally, to the manufacturers of Scotland, and this extended itself to the trade in both England and Ireland. The Committee were almost unanimous in the resolution that this drawback should be abolished. And the noble Lord, the Chancellor of the Exchequer, having acceded to it, he was bound to support it. He (Mr. Callaghan) found fault with his decision in not having gone far enough. He ought at once to abolish the whole 1*s.* 2*d.*; but if, in the exercise of his discretion, he thought that a part should be kept up in order to prevent illicit distillation reviving, he might, perhaps, be justified. Attention to the subject would show, however, that the drawback and illicit distillation had no connection. The abolition of the drawback would increase the duty and the price of spirits in Scotland; but it was the price and the high duty that alone would encourage illicit distillation. The Scotch Members asserted, that already, even the expectation of this drawback being repealed, had given rise to some smuggling. In Ireland, where the drawback had never been taken advantage of to any but the most trifling extent, illicit distillation had also begun this year. The low price of grain, and the cheapness of fuel or peat, to be had this year in abundance, and which could not have been had for the few last years in Ireland, were the causes of it; and, if the noble Lord, the Chancellor of the Exchequer, wanted to prevent smuggling, he must take away some of the duty now existing. In fact, the Committee had nearly decided on recommending a reduction of duty simultaneously with a cessation of drawback or bounty; but they left this, more properly, perhaps, to his decision. He mentioned this, to guard the Chancellor of the Exchequer against what he (Mr. Callaghan) was apprehensive of—that, next year the Scotch Members would want a renewal of this bounty, or that the remainder should be continued. And they would beard him on the subject. The revival of illicit distillation would, doubtless, be found also in Ireland; and he should protest against the cause—namely, too high a duty on spirits—being confounded with the repeal of this malt drawback. He was certain that many of the Scotch Gentlemen who were then present, agreed with him that the whole drawback should be done away; but, as they had told him in private conversation, they were obliged to yield their opinion to that of interested traders—their constituents. The advocates for a continuance of any bounty, were advocating a principle generally abandoned in that House, and they were bound to make out a strong case for the continuance of any; and this had certainly not been done in this debate.

Mr. *Warburton* considered the debate of that evening a good proof on which to form an opinion as to the religious feeling which pervaded the House; for one night was occupied in talking of religion, and the next night in debating as eagerly about gin. This might lead any one to suppose that the humane motive would be to prevent Cholera; but from what took place last night, it might be imagined that the same motive would induce the proposing a measure to prevent the drinking of gin. Here was Scotland trying to get the advantage of Ireland, and Ireland seeking to get the advantage of the poor West-Indian. If there were any parties who had a right to complain of this drawback, he should say the West-Indians had; for the cause of the West-Indian had been considered for a whole fortnight—and the question at last turned on the protection which was given to Scotland over Ireland, and the poor West-Indians were to look on, and hear the dispute about the former having a protecting duty of 1s. 6*d.* per gallon over the latter. The House ought to direct its attention on these points to another object.

Mr. *Cutlar Fergusson* never heard such reasoning as this. The hon. Gentleman had stuck so close to the point, that no one would have thought what was the subject of the discussion: he thought that the main point rested as to whether Ireland or Scotland should have the advantage. It had been said, that Scottish Members were subject to be pressed by the tradesmen and others, of the towns they represented, to give a vote on this measure, whether they approved of it or not. However, he could not be subject to this remark, as there was not a distiller in the town which he represented, and, therefore, his constituency did not feel any great interest in it; but he thought this Motion ought not to pass. He hoped that what had passed that night might not turn out so as to create a feud between his excellent Scotch and Irish friends. He would endeavour to say something in favour of Scotland, but the noble Lord would not yield to any of them. It had been stated, that there were no instances where fraud had been proved, and that there was no foundation for the measure, except a report that frauds had been carried on in Scotch distilleries. It would be unfair to Scotland, if this drawback should be taken away on mere report, when there was no proof of any fraud having been committed.

Mr. *Shaw* did not mean at that late hour to enter into any discussion of the general merits of the question before the Committee, but would merely thank the noble Lord for having gone so far as he had in giving redress to the Irish distiller, and express his hope that he would speedily carry the same principle to the entire extinction of the system of malt-drawback. He was gratified that a question had arisen upon which all Irish Members could be united; and this was the very first instance of their joining in approbation of any measure of his Majesty's present Ministers. This ought not, however, to be considered as an anti-Scotch question, for he, for one, was almost as much attached to Scotland as to his own country; but hon. Members from Scotland must allow there was this great difference between them,—all that Irish Members asked was, that the trade should be left free; whereas, the Scotch advocated the continuance of restrictions and regulations, which they must at least admit were cumbrous and difficult. From the sentiment of the hon. Member below him, that there was upon this occasion any bargain or compromise with the noble Lord the Chancellor of the Exchequer, he must altogether dissent; for he meant the noble Lord to be provided with full notice, that though he supported his views on this occasion, he was not aware of any other upon which he was likely to support him.

The Resolution agreed to.

COMMITTEE ON TITHES—IRELAND.] Mr. *Stanley* brought up the Report of the Select Committee on the tithe of Ireland, and moved "That it do lie on the table."

Mr. *Sheil* inquired whether it was not to be read?

Mr. *Stanley* answered, that he meant merely to move, that the Report should lie on the Table and be printed. On the recommendation of the Committee ulterior proceedings would be founded, which of course would be fully discussed.

Mr. *Henry Grattan* said, that so far as he knew of the report it was unjust, unsatisfactory, and premature. In his opinion church property should be appropriated to its original purposes, the chief of which was, the relief of the poor. By taking that course, three emergencies would be avoided—namely, the introduction of Poor-laws into Ireland, which was a matter of very questionable policy; next, the enforcement of the Vestry Bill; and lastly, the infliction of church-rates.

The Report to be printed.

HOUSE OF LORDS,

Saturday, February 18, 1832.

MINUTES.] Bills. Pensions; and Transfer of Aids, read a third time and passed. Read a second, and a third time, and passed, the Standing Order being suspended; the Cholera Prevention (Scotland.)

HOUSE OF LORDS,

Monday, February 20, 1832.

MINUTES.] Bills. Received the Royal Assent; Exchequer Bills 12,000,000*l.*; Pensions &c. Duties; Transfer of Aids; Cholera Prevention, England and Scotland; Sacramental Test (Ireland); and Contagious Diseases (Ireland.)

Petitions presented. By Viscount LORTON, from Portarlington, against the New System of Education proposed for Ireland:—By Lord TEYNHAM, from the Inhabitants of Dundalk. By the Earl of FINGAL, from Tring and Navan; and by the Marquis of LANSDOWN, from Trim and Ballinakilall, for the Abolition of the Tithe System:—By the Earl of FINGAL, from Westmeath and Navan, in favour of Parliamentary Reform.

HOUSE OF COMMONS,

Monday, February 20, 1832.

MINUTES.] Returns ordered. On the Motion of Mr. DIXON, of each Quarantine Station in the United Kingdom, the Number of Ships at each on the 1st December, 1831, 1st January, and 1st and 15th February, 1832, with the particulars of the Establishments, and the Cost of each; of the Monthly Expenses incurred by Government for preventing the spread of Cholera, and of the manner in which 1,934*l.* charged on that account was expended; of the Number of Officers of the Navy and Marines, who have been promoted by Brevet since the Accession of the present King, and the like Account for all Officers of the Army and Ordnance; of the Number of Gallons of Proof Spirits made in the United Kingdom, that paid Duty for Home Consumption, from 5th January, 1831, to 5th January, 1832, with the Rate and Amount of Duty for each Kingdom; and of the Number of Gallons of Foreign Spirits that paid Duty during the same time, with the Rate and Amount:—On the Motion of Mr. SPRING RICE, of the Number of Gallons of Spirits Imported from Scotland into Ireland, from 1st January, 1827, to 1st January, 1832, distinguishing the quantity and quality in each year, and of the Amount of all Duties paid on Spirits distilled in Ireland and Scotland, from 1st January, 1829, to 1st January, 1832, distinguishing the Sum paid by each Kingdom, and the kinds and qualities of Spirits, and the Amount of Duty in each year.

Petitions presented. By Mr. SHAW, from the Inhabitants of the Northern part of the County of Dublin, complaining of the Amount of the Turnpike Tolls, and praying for Relief, and from the Rope-makers of Galway, for the peculiar privileges of that place to be provided for by the Irish Reform Bill:—By Sir JOHN MALCOLM, from Launceston, in favour of the Factories Bill:—By Mr. H. ROSS, from the Linen, Woollen, and Cotton Manufacturers of Montrose, against some of the provisions of the Factories Bill:—By Colonel WOOD, from the Inhabitants of Merthyr Tydvil, praying for the privilege of sending a Member to Parliament for that place:—By Mr. CROKER, from Dr. M'Intyre, against the calculations of Lieutenant Drummond.

ST. SAVIOUR'S CHURCH.] Sir *Thomas Freemantle* presented a Petition from the parish of St. Saviour's, Southwark, against the proposed plan of allowing an opening of only 70 feet between the church and the street leading to London-bridge. The petition was agreed to at a most respectable meeting of the parishioners, who were anxious, not only to preserve that beautiful church and the "Ladye Chapel" at the east end of it, but also to have such an opening as would afford a sufficient view of them from the southern approach to London-bridge. The parishioners, and others who took an interest in the church, had already subscribed 1,500*l.*, and were willing to meet any reasonable expense in carrying the plan which they had proposed into effect. They were following the example of other parishes, and, among the rest, St. Bride's, but they were anxious to avoid such an error as had been committed in that instance, where the opening was too narrow to afford a proper view of the church. The petitioners, therefore, prayed that, in the Bill before the House, on the approaches to London Bridge, the opening at the south side, opposite St. Saviour's Church, should be 130 feet, in the place of 70 feet. He fully concurred in the prayer of the petition. The church was the third largest in London, and the prayer of the petitioners, on other accounts as well as on account of the architecture of the church, well deserved the attention of the House.

Mr. Alderman *Waithman* said, the Corporation of London had no interest in the question, further than in endeavouring, as they were in duty bound, to prevent unnecessary outlay of the public money.

Petition referred to the Committee on the London Bridge Approaches Bill.

BREACH OF PRIVILEGE—CASE OF SIR GEORGE HILL.] Mr. *Dawson* rose to complain of a report of a speech purporting to have been made in that House, which had appeared in one of the public papers, which he considered, from the sentiments it contained to be a gross breach of privilege. He presumed it was in the recollection of the House, that a debate took place respecting the Estimate of the Civil Contingencies on Friday last, when he had objected to the votes to Mr. Marshall and Dr. Bowring, contained in that Estimate, and had been replied to by the hon. member for Middlesex, who took a different view of the subject from that which he thought it his duty to present to the House. On looking into the papers of the following day, he found a report of that debate; but attached to the speech of the hon. member for Middlesex was a passage which was not only offensive to him, but to the character of that House, and of an individual holding an office in his Majesty's service. The passage to which he alluded was this: "And did the right hon. Gentleman recollect the case of Sir George Hill, in his new-born zeal for economy aad good faith?" When he (Mr. Dawson) read this passage, he was impressed with a conviction that it had not been uttered or expressed by the hon. member for Middlesex. Since reading it, he had submitted it to several Members of the House, and also to the hon. member for Middlesex, and those Gentlemen, as well as himself, were convinced that it had not been used. The passage was intended, he felt convinced, as a slur on him for having defended Sir George Hill on a late occasion, when he was made the object of accusation in the House. Now, one thing convinced him that the hon. member for Middlesex could not have made allusion in any way to Sir George Hill, without its attracting his attention, as he (Mr. Dawson) had been for some time past extremely anxious to have an opportunity of stating in the House, that Sir George Hill had fully paid up the balance of his debts to the public accounts. As soon as that gentleman was informed of this balance, it had been immediately discharged, and, in every way, Sir George Hill was to be considered as having honourably met all demands which the Government had upon him. Now, if the hon. member for Middlesex had alluded to any claim which he might conceive the Government had on that individual, he (Mr. Dawson) should most unquestionably have availed himself of the opportunity of stating that fact. It was on these grounds he conceived that he had cause to complain. He was aware that, if he chose, it was in his power to call upon the printer of *The Times* to name the individual who had published such a report, with a view to his being reprimanded by the House; but he did not conceive the matter to be of any importance. He did not wish to enter into any collision with the public Press; at the same time, he thought it his duty to avail himself of another course to prove the inaccuracy of the report. It was attributed to the hon. member for Middlesex. Now, if that hon. Member would get up in the House, and deny having made use of the passage attributed to him, he should feel perfectly satisfied; and he felt convinced, that the shame and the crime of deceiving the public would rest with the newspaper, and the Gentleman who had reported the speech. It was with this view that he had mentioned the subject to the House, and he felt sure the hon. member for Middlesex would have no objection to comply with his wish.

Mr. *Hume* apprehended that there could scarcely be any necessity for him to repeat the denial he had already given to the right hon. Gentleman's question. He begged, however, to assure the right hon. Gentleman, that so far from alluding to the case of Sir George Hill, he did not, at the time of making the speech in question, recollect the circumstance. He had only to observe, that he had not uttered the words attributed to him, or in any way alluded to Sir George Hill.

Mr. *Goulburn* said, that if his right hon. friend had to complain of insertions, he (Mr. Goulburn) had to complain of studied omissions in the reports of the proceedings of that House. Some few nights ago, the hon. member for Middlesex had quoted a clause from what he conceived to be an Act of Parliament, and, upon this quotation, he had fixed an accusation against him (Mr. Goulburn) for the discharge of his duties while in office. In his reply, he had read the real clause, bearing upon the point in question, which completely exculpated him. In the report of the debate on the following morning, he found every word that had fallen from the hon. member for Middlesex reported, while his reply was studiously suppressed. He really thought, if these omissions were to be of frequent occurrence, the House would find it necessary by some means or other to vindicate its privileges.

The conversation dropped.

FACTORIES' BILL.] Mr. *Horatio Ross* presented a Petition from the master manufacturers of Aberdeen, relative to the Bill introduced by the hon. member for Aldborough (Mr. Sadler), for the purpose of shortening the hours of labour for children in factories. The petitioners stated that great care and attention were paid to the children in the factories belonging to them, and prayed that no legislative enactment might be made without due inquiry. He fully agreed with the prayer of the petition, for he was convinced, that if the Bill passed in its present shape, it would ruin the manufacturers, and be the means of throwing many thousand operatives out of employment. In saying this, however, he begged to guard himself against being suspected of desiring to work children twelve or fourteen hours in the day. He was convinced that a Bill was necessary, not only for their protection, but for that of the most humane and respectable masters themselves, who were undersold by those who, without any regard to humanity, worked the unhappy children who were employed under them to excess. He was anxious that every protection should be afforded to young persons employed in factories, but it was necessary that due caution should be observed in legislating on the subject. To his constituents the Bill was of vital importance, as the great mass of the population in the district he had the honour to represent were employed in manufactures, and he had the satisfaction to know that the great majority of both masters and operatives had agreed in desiring that the labour of children should be limited to thirty-six hours per week. In his opinion, however, inquiry should precede the passing of the Bill, and he should wish it to be referred to a Select Committee.

Mr. *Charles Douglas* fully agreed with the hon. Member, that inquiry was necessary. He had reason to know, that many of the master manufacturers were opposed to the provisions of the Bill.

Mr. *Robert Ferguson* felt also fully convinced, that the most strict inquiry was necessary. He had reason to believe that many of the petitions in favour of the Bill were founded on the most exaggerated statements. He was no advocate for treating children with inhumanity, but a Select Committee was the only place where so many interests and conflicting statements could be duly considered.

Petition to be printed.

Mr. *Sadler* presented a petition, signed by 2,000 persons, inhabitants of Aberdeen, being bankers, merchants, and manufacturers, in favour of the Bill for limiting the labour of children in factories. The Petitioners asserted that the confinement to which children were subjected greatly impeded the advance of knowledge.

Mr. *Ramsden* admitted, that some measure was necessary, as instances of cruelty did occur, still, he was bound to say, that, in the majority of instances, great care and humanity were displayed towards the children in factories in the district which he represented. He should wish a preliminary inquiry before giving his assent to the hon. Member's Bill.

Captain *William Gordon* could also state that great attention was paid to the children in the factories at Aberdeen. This petition contained the first complaint from that place that he had heard of. There was no way of recalling the conflicting statements made, but by referring the whole to a select Committee.

Mr. *Sadler* said, that great care had been used in inquiring into the treatment of the children by many persons before they had signed the petitions, and it wås only from a full knowledge of the excessive labour to which children were exposed, that professional men, whose duties led them to the habitations of the poor, where they were witnesses to the evils they sought to remedy, were induced to come forward to complain. At the proper time he should be able to support the allegations contained in the petitions by the testimony of thousands of witnesses.

Sir *Charles Burrell* said, that he had been assured, and he had no doubt whatever of the fact, that, in some of the woollen manufactories, children were worked fourteen hours out of the twenty-four. The prostration of strength which was the result of this length of labour, was such, that watchers were employed to go round, and prevent the children falling into a state of stupor, which would endanger their entangling themselves in the machinery. The atmosphere, too, in such factories, and the nature of the labour, was most injurious to health.

Mr. *Hunt* said, he had no doubt that in some woollen manufactories, children were employed in the way mentioned by the hon. Baronet. He had also heard that these poor children were subjected to be struck by people who had staves in their hands for that purpose. Surely the House would never lend its countenance to such proceedings. It was worse treatment than that of slaves and felons.

Mr. *G. Vernon* felt grateful to the hon. member for Aldborough for bringing the subject under the notice of the House: he was fully convinced some legislative measure was necessary for the protection of young children, but, at the same time, he must declare, that several of the provisions of the intended Bill met with great opposition from some of his constituents on duty who were master manufacturers. He therefore, in common with other hon. Members, wished the Bill to be referred to a Select Committee.

Petition to be printed.

CHOLERA.] Lord Althorp moved the order of the day for the House to resolve itself into a Committee on the Reform of Parliament (England) Bill.

Mr. *Robinson*, seeing the Vice President of the Board of Trade in his place, was anxious to know whether any relaxation had taken place in the practice of not giving clean bills of health for ships sailing to foreign ports or the colonies. Doubts existed in the City whether the Cholera had really appeared in London at all, and, if it had not, he trusted that the obstructions in the way of trade, which necessarily followed from the late orders of Government on the subject, would be removed. In the ports of Holland, under the impression that Cholera existed in the metropolis, no vessel sailing to that country, was allowed to enter without performing forty days' quarantine. In the French ports, the period of required quarantine was not so long; nevertheless, there were considerable obstructions in the commercial transactions between the two countries. Considering it had been asserted, that, during the last week the Cholera had reached the metropolis, and yet that it had made no progress whatever, there having scarcely been a fatal case, and also that great doubts existed among the medical men, not only whether the Cholera had actually appeared, but whether it was a contagious disease, he thought that some facility should be afforded at the Custom-house in giving bills of health to vessels quitting the port of London.

Mr. *Poulett Thomson* said, that no one regretted more than he did the circumstances which had given rise to the orders alluded to by the hon. Gentleman; but, unless his Majesty's Ministers were fully assured that the Cholera did not exist in London, it would be a breach of good faith with other countries to furnish clean bills of health from the Custom House to vessels leaving this port. He begged to state to the House, what had been done by Government on the disease first reaching this country. Foreign governments were much alarmed at the circumstance, for the cases were publicly stated and commented upon in the newspapers, and those governments were meditating measures which would have had the effect of fettering commerce greatly. Strong assurances were made, on the part of Ministers, that every thing connected with the disease should be made public, and that no concealment should be practised. It was, at the same time, stated, that all which we had thought it necessary to do was, to place the northern part of the island under quarantine with respect to the southern part. On these assurances France and other countries allowed ships from our southern ports to enter their ports. It became, therefore, doubly the duty of the Government to avow the fact, and withhold clean bills of health the instant the disease appeared. A great many comments, he knew, had been made on the conduct of Government, upon what it had done, and what it had not done, but, all that it had done was, to follow up the line of conduct of which he had just laid down the principle. It had taken every possible precaution both against the disease and to prevent injury to trade. Nothing could be more unfair nor unjust than the charges which had been brought against Government respecting what had been done to prevent the spread of Cholera. It had been said, that no such thing as the Cholera existed in London. He could not take upon himself to state, whether that was the fact or not; but this he would say, that every mode of obtaining an accurate judgment upon the subject, by taking the opinions of men qualified to form correct opinions thereupon, had been resorted to. The opinions of the Central Board of Health, as well as that of the District Board, had been taken, and upon these Government had acted. The opinions of medical men, who had watched the progress of the disease in various countries, were, in his opinion, of more value than the opinions of those who had never seen the disease; and who maintained, that it was not in the metropolis at all. If it should turn out that the disease had not reached the metropolis, he should rejoice at the fact. In the mean time it would not be acting with good faith towards other countries, nor in accordance with those assurances to which he had alluded, if clean bills of health were afforded in the way suggested.

Mr. *Hume* thought that his Majesty's Ministers ought to have members constituting the Board of Health entertaining different opinions as to whether the disease was contagious or non-contagious; whereas, as at present constituted, he understood the members of the Board all equally believed the disease to be of a contagious character. From the numerous communications he had received, he was led to believe that the people of the city of London had no confidence in this Board of Health. Many persons thought they had unnecessarily caused an alarm to be spread, without a full inquiry into the facts. He also thought that some additional members ought to be placed to the Board.

Mr. *Poulett Thomson* said, that with respect to one of the gentlemen of the Board, he had not always entertained the opinion he now did with regard to the Cholera; he meant Dr. Russel, who went to St. Petersburg to make inquiries into the nature of the disease. When he went there he was an anti-contagionist, but, after witnessing the cases he there saw, he became a convert to an opposite opinion.

Sir *Robert Peel* thought the objections of the hon. member for Middlesex, as to the opinions of the members of the Board of Health, entitled to but little consideration, for the inquiry was not whether the disease was contagious or not, but whether it was the spasmodic Cholera. He was aware that differences of opinion among medical men upon that subject existed, and he knew that against a physician of Sunderland considerable prejudice was raised, because he, at the first breaking out of the Cholera at that place, declared it to be contagious. That gentleman, however, was right, as the facts unfortunately proved. He would venture to express a hope that the members of the Board of Health would honestly state their opinions upon the subject, as to the existence, or otherwise, of the disease in London.

Lord *Althorp* said, that, from the best inquiries Ministers had been able to make, it appeared that the disease which had shown itself in London was similar in character to that which had appeared in

Sunderland; and therefore, he considered, they were fully justified in taking the steps they had done. Ministers had proceeded straight forward, and could bear the blame that might be thrown upon them by those who were excusably impatient, as they were necessarily suffering from the restrictions. Till experience had thrown more light upon the subject, it would be very wrong to issue clean bills of health.

Mr. *Warburton* observed, that if any disposition to conceal the truth were observed, every foreign government would distrust the statements of the English Government, and then, whether the ships had clean bills of health or not, would make no difference in their favour; on the contrary, they would then suffer from greater trammels with clean bills of health than they did now from foul bills. He hoped the Government would persevere in the course they had adopted, and act upon the opinion of the Board of Health, nor change it till the Board of Health had given an opinion, settling the question of danger at rest.

INSURRECTION IN JAMAICA.] Mr. *Burge* wished to put a question to the noble Lord connected with the Estimates. An insurrection had, he was informed, arisen in the island of Jamaica—an insurrection of a much greater extent, and organised under circumstances of concert, quite unusual; and the information he had received stated, besides, that this insurrection had been attended with the destruction of an immense mass of property. He was not about to ask a question that would require, on the part of the noble Lord, any time for consideration. He had waited on the noble Lord connected with the government of the Colonies, and had seen his Lordship, and the noble Viscount opposite, and he had met from the noble Lords connected with the Government so much attention, that he was unwilling to make any observations that would appear to reflect on them; but it was important for the Colonies that the noble Lord opposite should state what was the condition of Jamaica, and what were the prospects of the insurrectionists.

Lord *Howick* said, that the only information he could give the hon. Member opposite was, that the latest accounts which had been received by the Government were dated on the 6th of January, from the Earl of Belmore, stating that the insurrection was at that moment in a great measure suppressed. It was quite unnecessary that he should enter into particulars, as the noble Lord at the head of the Colonial Department had given directions that all the information which the Government had received should appear in *The Gazette* to-morrow.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—FOURTEENTH DAY.] On the question being again put that the Order of the Day be read,

Mr. *Croker* said, before the Order of the Day for going into a Committee on this Bill was read, he wished to ask the noble Lord, whether it was the intention of the Government to proceed in the Committee on the postponed clauses, or to go into the schedules? Those schedules comprised certain boroughs which had been placed in them upon a calculation made by Lieutenant Drummond, founded upon the number of houses in each borough, and the amount of Assessed Taxes paid by each: of course, unless the materials on which Lieutenant Drummond had founded his calculations were full and accurate, the calculations could not be much worth. He had stated a month ago, that he believed it would be found that, without imputing any blame to Lieutenant Drummond, his results were not quite accurate; and the inaccuracy was occasioned by defects in the data on which he had been obliged to proceed. The returns of the Assessed Taxes were, in many particulars, incorrect: in some cases the amount of the Game Certificates and of the Cavalry Exemption Duty had been taken into calculation, while in others, these duties had been quite omitted. He had already, on January 24th, moved for a return of the details of the Assessed Taxes in such boroughs as he thought the most important; and till that return was laid on the Table, he thought it was impossible for the Committee to proceed. He would mention one case, to shew how the defects of the data would operate on Lieutenant Drummond's calculations. The Borough of Helston now stood 84 on the List, and was to lose one Member. It was exempt from a portion of Assessed Taxes, on account of cavalry horses, to the amount of 75*l.* The amount also of Game Certificates was 41*l.*, and this sum was not, he believed, included in the Assessed Taxes of Helston. If the first of these duties were included in the calculation, Helston would be 87 or 88 on the list, and would be omitted altogether from the schedule. If the last was included, it would be raised still higher, and be placed in a still safer position. Having these facts before them, how could they proceed to discuss the schedules till ample materials for correcting these inaccuracies were laid on the Table. All he wanted was, to do justice, and give fair play to all. In a short time information might be received that would correct all these inaccuracies, and till then, he thought, the discussion on the schedules ought to be postponed. The same difference that existed with regard to Helston, would, he believed, be found to exist with regard to other boroughs. For example, he had reason to believe, that if the Game Certificates were included in the Assessed Taxes paid by Aldeburgh, the borough he had the honour to represent, that it would be transferred from Schedule A to Schedule B. The same principle would apply to other boroughs; and he, therefore, must press on the noble Lord opposite, and on the Committee, the propriety of postponing the schedules till accurate information was procured.

Lord *John Russell* said, that the right hon. Gentleman had correctly stated that there was a difference with regard to some of the boroughs, as to the amount of the Game Certificate Duty being included or not in the calculation of taxes paid by them. He had been told of this before, and he had, therefore, directed that the Commissioners should pursue one uniform rule; and either always include, or always exclude, the calculation of these duties. The Commissioners obeyed his directions, and endeavoured to obtain the returns so as to include the Game Certificates in all cases. But when the list came to be made out, from some misunderstanding, the rule was not, in every instance, exactly observed. There was one other point which made a difference in the returns, which the right hon. Gentleman had not noticed; and that was, that in some places the Assessed Taxes had been discharged as to portions of those places, and yet those places were still noticed in the same way as if every part of them still paid the Assessed Taxes. However, he had spoken to Lieutenant Drummond on the subject, and he understood that these differences, though it would have been advisable to avoid them, would not make such a difference as to effect an alteration in the situation of any of the places in the list. He thought, therefore, that it would be of no use to delay the consideration of the schedules on this account.

Mr. *Croker* did not speak of the payment of minor duties, but of a great principle which had been neglected, namely, the uniformity of the calculations. He did not blame the Ministers for these imperfections, for he knew how hard it was to obtain correct returns. Some of the returning officers were, he believed, wilfully perverse, and others were naturally stupid. Between them, undoubtedly, the Government must have considerable trouble; but still he thought the two great classes of duties he had mentioned might be uniformly included, or uniformly excluded. He could assure the noble Lord, that including these taxes for Helston would save it from disfranchisement, while other boroughs, like Aldeburgh, must be trembling in the balance. No time would be lost by the noble Lord assenting to his proposition; while the postponement would effectually secure the Committee against the conviction that they might have acted unjustly.

Sir *Charles Wetherell* said, the case of each particular borough ought to be decided by one uniform rule, and according to their respective merits, founded upon some general principle of calculation after the fullest information that could be obtained. As it was notorious that, in some cases they had reason to believe the returns, on which the calculations had been made, were not precisely correct, nor prepared upon one plan, he thought the other part of the Reform Bill might go on, and the schedules be postponed till the fullest information had been obtained.

Lord *Althorp* said, that it would not be necessary to proceed with the boroughs in the order of the schedules. The Committee might begin with the lowest of those in the first schedule.

Mr. *Croker* again expressed his hope, that the noble Lord would not force him to divide the House. They (the Opposition) were ready to go into the Committee, provided the noble Lord would postpone the schedules. But if the noble Lord meant to persevere in his intention to proceed with the schedules, he would divide the House.

Lord *Milton* considered the course proposed by his noble colleague (the Chancellor of the Exchequer) to be perfectly convenient. As they were to begin with the boroughs at the bottom of the list, and not according to an alphabetical arrangement, the question relating to their relative merits, mooted by the right hon. Member, would not be brought before the House that evening.

Mr. *Stephenson* thought, that the Committee could at once proceed to the disfranchisement of ten boroughs, beginning with Old Sarum, as there was very little room for discussion respecting them.

Mr. *Croker* said, that he thought it the more necessary to oppose the Motion that the Speaker do leave the Chair, in consequence of what had fallen from the hon. Member opposite. It had always been understood that the boroughs should be considered singly; but now it was proposed to disfranchise ten of them in the lump.

Lord *Milton* said, it followed, from the right hon. Gentleman's supposition, that he was opposed to the disfranchisement of Old Sarum.

Mr. *Croker:* No. It only implied, that he would not consent to lump it with other places that had merits of their own.

The Order of the Day was read. On the question, that "the Speaker do now leave the Chair," the House divided: the numbers were—Ayes 112; Noes 74;—Majority 38.

List of the AYES.

ENGLAND.

Adeane, H. J.
Althorp, Viscount
Astley, Sir J. D.
Atherley, Arthur
Bernal, Ralph
Blake, Sir F.
Blount, Edward
Brougham, James
Brougham, William
Bunbury, Sir H. E.
Byng, Sir John
Byng, G. S.
Calvert, Charles
Chichester, J. P. B.
Colborne, N. W. R.
Crampton, P. C.
Creevey, Thomas
Davies, Col. T. H. H.
Denison, W. J.
Duncombe, Thomas S.
Ellice, Edward
Evans, Col. De Lacy
Ferguson, Gen. Sir R.
Godson, Richard
Graham, Rt. Hon. Sir J.
Grosvenor, Earl
Guise, Sir B. W.
Handley, William F.
Hawkins, J. H.
Hudson, Thomas
Ingilby, Sir W. A.
Johnstone, Sir J. V. B.
Jones, J.
Kemp, Thomas R.
King, Edward B.
Knight, Henry G.
Knight, Robert
Lefevre, Charles S.
Leigh, Thomas C.
Lemon, Sir C.
Lennox, Lord W.
Lester, Benjamin L.
Lumley, J. S.
Marryatt, Joseph
Milbank, Mark
Mills, John
Milton, Lord
Morpeth, Viscount
Mostyn, E. M. L.
Newark, Viscount
Nowell, Alexander
Nugent, Lord
Ord, William
Owen, Sir J.
Paget, Thomas
Palmer, General C.
Pendarves, E. W. W.
Ridley, Sir M. W.
Robarts, A. W.
Robinson, Sir G.
Russell, Lord John
Russell, Lieut.-Col.
Sanford, E. A.
Skipwith, Sir G.
Smith, Hon. R.
Smith, John
Smith, R. Vernon
Spencer, Hon. Capt.
Stephenson, H. F.
Strickland, George
Strutt, Edward
Stuart, Lord P. James
Thicknesse, Ralph
Torrens, Col. Robert
Venables, Alderman
Vernon, Hon. G. J.
Vernon, G. H.
Wellesley, Hon. W. T. L.
Whitmore, W. W.
Wilbraham, George
Williams, Sir J.
Willoughby, Sir H.
Winnington, Sir T.
Wood, John
Wood, Alderman
Wrottesley, Sir J.

SCOTLAND.

Campbell, W. F.
Ferguson, Robert
Fergusson, R. C.
Johnston, Andrew
Johnstone, J. J. H.
Mackenzie, Stewart
M'Leod, R.
Ross, Horatio
Sinclair, George
Stewart, Sir M. S.

IRELAND.

Bellew, Sir P.
Blankney, W.
Bodkin, John J.
Brown, John
French, Arthur
Jephson, C. D. O.
Killeen, Lord
Lambert, Henry
Leader, N. P.
Macnamara, Wm.
Musgrave, Sir R.
O'Connell, Daniel
O'Connor, Don
O'Farrell, R. M.
Ossory, Earl of
Ponsonby, Hon. G.
Power, Robert
Ruthven, E. S.
Sheil, R. L.
Walker, C. A.
White, Samuel
Wyse, Thomas

The House in Committee.

Colonel *Wood* wished to know when it was intended to bring on the postponed clauses? Some of them were of great importance, and he wished them to be discussed in a full House, which was not likely to be the case if they were postponed until the schedules were disposed of. The 55th clause was one of these.

Lord *Althorp* thought it would be better that the reserved clauses should be taken after the schedules. He saw no reason to fear that there would be a want of attendance in Members.

Sir *Edward Sugden* said, that it was understood that the Committee would proceed with all the clauses of the Bill before they approached the schedules. He thought that the clause relating to the expenses of elections ought to be taken then, when there was an opportunity of discussing it in a full House. If it should be postponed, it might be brought on hereafter when very few Members would be in attendance.

Lord *Althorp* said, the course recommended would be found very inconvenient. The clauses were postponed for the purposes of being amended, or new clauses introduced in their stead; and, therefore, he considered that it would be more regular to go through with the whole Bill before those clauses were brought up for discussion.

Sir *Edward Sugden* repeated, that there was an express understanding that all the clauses should precede the schedules. He did not see by what magic the schedules were conjured forth for discussion on Monday in preference to any other day.

Lord *Althorp* thought, that the present discussion was merely a wasting of the time of the Committee.

Sir *Edward Sugden* hoped that the noble Lord did not mean to accuse him of wilfully wasting the time of the House.

Lord *Althorp* did not intend to cast any imputation upon the hon. and learned Gentleman, but he really did not see to what good the discussion tended.

Lord *John Russell* said, that the Bill had been postponed on Friday to meet the wishes of hon. Gentlemen opposite, and the schedules had been expressly appointed to come on that evening.

Lord *Althorp* said, that to prevent any further delay he would consent to proceed with the postponed clauses. He moved, that clause 55 be read. The noble Lord explained, that the amendment he had introduced into this clause, was to require that each person, on his name being entered in the register, was to pay one shilling. He thought the sum thus obtained would retrieve the Poor-rates from all charges for the registration.

The Chairman read the 55th (the Registration) Clause.

Colonel *Wood* said, it appeared to him that there were several difficulties connected with this clause, and that it would be found to be attended with great confusion as well as injustice in its operation. The words of the amended clause now were, "That such notice of claim to be inserted in the list, shall not be rated unless such sum of 1*s*. has been paid." How were the non-resident freeholders to pay yearly for their registration as they might pay no Poor's-rates upon which the shilling could be charged. It was obvious that the shilling could not be sent any distance by post without incurring a most enormous charge, which ought not to be allowed to fall upon the Poor's-rates. By the present clause it appeared that a person was to remain on the list if he was not objected to by the Overseer. This ought not to be the case, as persons who had no title might thus be continued on the lists. Again, the clause did not state clearly whether or not the freeholders in the counties should pay a shilling annually in the same way as voters in the boroughs. Again, it would appear, from the wording of the clause, that the shilling was to be paid to the Overseer for his trouble in preparing his list, and also for the expense of registration; but that, in county elections, the expenses of the Sheriff and the Clerk of the Peace were to be paid out of the Poor's-rates. At present, in many of the boroughs, persons were entitled to vote who did not contribute to the Poor's-rate. By the operation of this clause, all these persons would be deprived of their votes, unless they paid Poor's-rates together with the shilling for registration. It was also perfectly clear, that if the Overseer was allowed to make indefinite charges for registration, this shilling would not be sufficient to defray the expenses. Indeed the charges for registration would be much heavier than the noble Lord anticipated. Even the expense of the Barrister alone would, in many districts, swallow up nearly the whole of the sum that would be collected in this way. It would be almost impossible to form a judgment, with any degree of accuracy, as to the number of days that would be requisite for registration. Some persons supposed that the time required would be very short; but when there were so many persons interested in occupying as long a period as possible in forming the register, no such result could be anticipated. Let the Committee only recollect that the Barrister was interested in keeping this open as long as possible; so was the solicitor, who was employed to watch the proceedings; so was the Overseer, who was allowed his expenses; and, of course, the longer the registration lasted, the larger would be the amount to which the expenses could be swelled. At the termination of the late election for Dorsetshire, which lasted fifteen days, it was stated, that upwards of 300 votes were left undetermined by the assessor: it was fair to assume that a great number of doubtful votes had been decided upon in the course of the fifteen days. Again, at the last election for Oxfordshire, several hundreds of votes were left undetermined. In the election for Pembrokeshire, which also lasted fifteen days, a great many votes were also left undetermined. It was by no means clear that, in these three counties, the assessor was dilatory, and that unnecessary delay took place in determining as to the validity of these votes. Even from the cases just mentioned, it was clear that the Barrister could not prepare the register for a county in less than fifteen days. According to this Bill, also, nearly every county in the kingdom would have double the number of voters that it had at present. It was obvious, that if the Barrister gave due consideration to the various disputed cases which came under his examination, he must devote ample time to the subject; and, therefore, it would be impossible to get through all the votes upon which a question would arise in a county in less than fifteen days. The House was now proceeding to tax all persons who were hereafter to vote at elections for Members of Parliament, which it was not authorized to do. He protested against the Members of this House throwing the whole expenses of the registration, and of the election, upon their constituents; in point of fact, it was making them pay for exercising the franchise. He trusted that the noble Lord would, on consideration, be induced to alter this part of the clause, as, in point of fact, they were sacrificing their duty to those who sent them to Parliament, for the purpose of saving their own pockets.

Lord *Althorp* said, that one object of the system of registration, and of the polling at several places in the one day, as well as of shortening the duration of the poll was, to enable gentlemen of small fortunes to stand for the Representation of their respective counties, without incurring ruinous expenses. He must further observe, that a person having once put his name upon the register, as an elector for the county, would not have to pay a second fee.

Sir *Edward Sugden* said, that the clause was so framed, that whilst the county elector would have to pay but one shilling registration-fee in his whole life, perhaps the elector in a borough would be obliged to pay a shilling every year. He thought that the registers would require to be revised every year, as otherwise some names might remain on them after the death of the elector, who might, consequently, be personated by others.

Mr. *John Wood* said, in the borough he had the honour to represent—Preston, there were between 4,000 and 5,000 persons entitled to vote, not above one-third of whom paid Poor-rates. He begged, therefore, to inquire, whether such persons must pay the registration-fee, or suffer disfranchisement.

Lord *Althorp* said, the clause only referred to those who now paid Poor-rates, leaving the privileges of those towns where electors had the privilege of voting by other qualifications just as they were.

Sir *John Wrottesley* was sure the expenses attending the registration would be considerably less than was anticipated, but there was one part of the clause which he thought would admit of improvement. It was provided by it, that where a borough consisted of several townships, each township should pay a given sum to cover the expense, without regard to the relative number of voters contained in each, and he thought it would be a beneficial alteration if the whole expenses were paid in proportion to the number of voters. He begged further to suggest, that it would be well to provide that the expenses of the Overseer should not be allowed until they had been approved of by the Magistrates at the Quarter Sessions.

Mr. *Freshfield* said, as the voters at Preston were to be exonerated from the payment of the registration-fee, he put it to the noble Lord, whether the poor scot-and-lot voters were not entitled to the same indulgence? If, in addition to their charge for Poor-rates, was now to be added one shilling annually for registration, that sum might be of consequence, and would lead to its being paid by candidates, and so introduce a system of bribery. The noble Lord defended the clause on the principle that it would lessen the expenses of elections, but there was one case in which it would increase them, by bringing additional candidates into the field. Another hard case was, that the poorer voters, the electors for boroughs, were to be registered annually, while the county voters were not subject to such a regulation.

Lord *Althorp* had not asserted, that the increase of candidates would diminish the expense, but that the general effect of the clause would have that tendency.

Clause, with verbal amendments, agreed to.

Clause 68 also agreed to.

Lord *John Russell* then stated, that he meant to proceed with the boroughs contained in schedule A, in the order in which they were given in Lieutenant Drummond's list, and not alphabetically, as stated in the Bill. That was a course, which, he was persuaded, would be attended with great convenience to the House. He would therefore move, that Old Sarum, Wiltshire, stand part of schedule A.

The Chairman then put the question.

Mr. *Pollock* said, he rose to take the first opportunity which had presented itself in the Committee of stating the objections he entertained against the manner in which the schedules they were now about to dispose of had been constructed. The Committee were acquainted with the instructions given to Lieutenant Drummond by the Government, and, now that they were come to decide upon the question to which those instructions referred, it was very material that they should know whether or not the calculations before them were accurate, and whether the person who made them had dealt with the materials and the numbers which formed them correctly. Shortly after the papers containing these calculations were before the House he applied his best attention to their examination, and, in doing so, was assisted by others, whose ability and accuracy could not be questioned in such a matter; and the result of his labours had been, a clear and undoubting conviction that Lieutenant Drummond had fallen into very considerable errors, and that his calculation, illustrated in his own statement by the supposed boroughs A, B, C, D, E, was founded upon an erroneous principle, not applicable to the subject, and had consequently led to an erroneous conclusion. There were, then, two questions before the Committee—whether there was an error in the calculation, and what was the extent of the error; and whether it had not led to an erroneous result in placing the boroughs in the schedule. His object in calling the attention of the Committee to an examination of the details was, to show that errors had been committed, and the system adopted in making the calculations had led to placing some boroughs in schedule A, and others in schedule B which, according to the objects professed by the Government, in their instructions to Lieutenant Drummond, should be placed in a different schedule, or should be exempt from both. To establish this, he would proceed to read the instructions given to Lieutenant Drummond, in Lord Melbourne's letter of the 24th November, 1831. That letter stated, that the Government having determined to found the Reform Bill on a new basis (and he admitted, that the new basis was better than the former one) they requested Lieutenant Drummond to ascertain the relative importance of the small boroughs in England and Wales, it being proposed to take the number of houses, and the amount of Assessed Taxes together as the test of disfranchisement. He would read the instructions conveyed to Lieutenant Drummond in the third paragraph of the letter as they stood.

> "You will have the goodness, therefore, to make a scale containing, in addition to ninety-seven boroughs (the numbers comprised in schedules A and B of the former Bill), the ten or fifteen immediately above them in size or importance. You will arrange these boroughs in such a manner that the lowest may be the first, and the highest the last, on the list. I shall be obliged to you to send me, at the same time, an account of the manner in which the calculation has been made."

He would next direct the attention of the Committee to so much of the answer of Lieutenant Drummond as would show what he understood those instructions to be. Lieutenant Drummond said,

> "The principle on which the list is founded consists in allowing equal weight, in the estimation of the relative importance of a borough, to the number of houses which it contains, and amount of Assessed Taxes which it pays; and the method adopted for carrying this principle into effect may be stated in the following words.
>
> "1. Take the average number of houses contained in the boroughs to be arranged, divide the number of houses in each borough by this average number, and a series of numbers will be obtained denoting the relative importance of the different boroughs with respect to houses.
>
> "2. Take the average amount of the Assessed Taxes paid by the same boroughs, and proceed precisely in the same manner as described with respect to the houses, a series of numbers will result shewing the relative importance of the different boroughs with regard to Assessed Taxes.
>
> "3. Add together the numbers in these two lists which relate to the same boroughs, and a series of numbers will be produced denoting the relative importance of the different boroughs with respect to houses and Assessed Taxes combined.
>
> "4. With a view to explain this statement, suppose that the number of boroughs to be arranged in the manner prescribed is five, in-

stead of 110. The principle not being affected by the number, the explanation will be rendered more simple by using the smaller number."

It would appear from this, then, that Lieutenant Drummond first found an average of the number of houses contained in all the boroughs to be disfranchised, and that, by dividing the number of houses in each borough by this average number he obtained a series of fractions denoting the relative value of each borough. He then pursued a similar plan to obtain a series of fractions, showing the relative importance of the different boroughs with regard to Assessed Taxes. He then reduced to a common denominator the fractions contained in the two lists which related to the same borough, and afterwards added them together in order to obtain a series of numbers denoting the relative importance of the different boroughs with respect to houses and Assessed Taxes. By subsequently multiplying these numbers by 1,000, to avoid fractional parts, he formed the scale of boroughs which had been recently submitted to the consideration of Parliament. He would confidently state to the Committee, and that upon better authority than his own, that such a principle was generally erroneous; that it had a tendency to be sometimes correct, and particularly where the numbers were very large, but that it so happened, in its present application, that, with regard to one borough, as the Committee would very soon see, it led to a very different result from what would be obtained by an accurate calculation. The only mode, he was prepared to show, in which that could be done was, giving equal weight to both taxes and houses, and to multiply them by each other. Of this he would give an illustration which must make the subject plain to every one at once, and which he defied any man to show was not precisely the same case as that which had been submitted to Lieutenant Drummond. He would suppose a person to be in possession of a large number of bales of merchandize of different size and value. That person wished to have the assistance of some able calculator, Lieutenant Drummond for instance, to ascertain the relative value of each bale. How would he proceed? He forms a list in two columns, in one of which he sets down the bulk, and in the other the price of the bales: he gives them to the calculator, and desires the calculator to tell him the relative value of each. What would the calculator in such a case do? He would multiply the quantity of each bale by the price, and he would thus bring out their relative value. Could any one doubt that this would be the method of any accountant? It was no answer to him to be told that there was some mode by which the accuracy of Lieutenant Drummond's scale could be maintained. There might be such a mode, but he had not discovered it; nor did Lieutenant Drummond himself profess to have found it. Neither would it be any answer to him to say, in allusion to his illustration, that the number of houses in a borough was nothing like the bulk, and that the amount of assessed taxes was nothing like the price, of a bale of goods. If they told him that the scale was to be calculated by the number of houses contained in, and by the amount of assessed taxes paid by, each borough, then, he said, it was a matter of science about which there could be no doubt that the multiplication of the fractions, and not the addition of them, could alone give them the correct result. He would now call the attention of the Committee to one instance in Lieutenant Drummond's list. If the Committee would look at page 3 of No. 8, they would find Petersfield with 278 houses, and paying 540*l.* assessed taxes, whilst Westbury had 536 houses, and paid 278*l.* assessed taxes. Now if these two scales were to be blended together, so as to give them equal weight in the relative importance of each borough, Petersfield with its 278 houses and its 540*l.* assessed taxes, ought to be in a higher place in the scale of importance than Westbury, with its 278*l.* assessed taxes, and 536 houses; whereas by the process of Lieutenant Drummond turning the numbers into fractions, (and he could not find out any reason for that) Westbury, with the lower number, occupied a place higher in the scale than Petersfield. That was a statement which no man acquainted with figures could deny. He was convinced that if this list was laid before an unprejudiced person, and he was told to give an equal weight to the numbers in both cases, the preference would be given to Petersfield; inasmuch as the preponderance of taxes in Petersfield was greater than the preponderance of Westbury over Petersfield in the other scale. In order the more clearly to illustrate what he meant, he would take the case of four boroughs, so as to show how the two systems worked. Of course, he was quite ready to admit, that in some instances the plan of Lieutenant Drummond, through leading to errors, produced none that would make any material difference in the order of the schedules. No system, for example, he supposed, could ever raise Old Sarum—the borough now under discussion—to a higher place; but still there were other cases in which the operation of Lieutenant Drummond's scheme would be very fatal, and would undeservedly condemn a borough to disfranchisement. Lieutenant Drummond, in his calculations, had taken five boroughs to illustrate his system. He, however, would only take four, in order as much as possible to save the time of the Committee. Now, for this purpose, he would suppose four boroughs, to be called A, B, C, and D. He would also suppose that the borough A contained 200 houses, and paid 900*l.* taxes; that B. contained 650 houses, and paid 300*l.* taxes; that C contained 800 houses, and paid 250*l.* taxes; and that D. contained 1,000 houses, and paid 150*l.* taxes. Nor let it be supposed that this last example was exaggerated, for in the last Bill they had an instance of a place, Downton, being so deficient in 10*l.* houses as to cause it to be deemed unworthy of retaining the franchise. Neither ought it to be said that four boroughs were not sufficient to show the effect of Lieutenant Drummond's plan; for he did not know anything in that Gentleman's arbitrary rule that rendered it more fit for eighty boroughs than it was for only four, or *vice versa.* He had tried these four boroughs by Lieutenant Drummond's system of fractions, and the result was, that the four boroughs, A, B, C, D, came out in this order—B, C, D, and A; whereas, by multiplying the figures in one series by the figures in the other, which appeared to him, as he had already explained, to be the proper way, the order would be, D, A, B, C; so that by this juxta-position it became quite evident that one of the two systems must be wrong. According to Lieutenant Drummond's fractional mode, A, with 200 houses, and 900*l.* taxes, came before B; and so it ought, because the taxes bore a greater disproportion than the houses. But the fractional plan also placed B after D, whereas D had only half the amount of the taxes of B; and B had more than half the number of houses of D; from which it was quite manifest, that, to get the proper result, they ought to multiply the two scales together. But, as he had already remarked, Lieutenant Drummond's system, in some cases, led to very serious mistakes; and he would now call the attention of the Committee to some of them as shortly as he was able. If the Committee would look at No. 8, page 3, they would observe that the borough, No. 56, was Amersham, No. 57, was Petersfield, and No. 60, was Westbury; and he meant to contend that, if the calculation was properly worked out, Westbury ought to occupy the place No. 56. He did not state this without having worked out the whole of the numbers to see how they would stand, and to illustrate his position, he would state a few of the results to the Committee, by taking eight of the places that stood in the immediate neighbourhood of the line of separation. On referring to Lieutenant Drummond's list, it would be seen that No. 53, was Appleby; 54, Lostwithiel; 55, Brackley; 56, Amersham; 57, Petersfield; 58, Ashburton; 59, Eye; and 60, Westbury; but, according to the calculations he had made, the order ought to be Appleby, Lostwithiel, Brackley, Westbury, Petersfield, Amersham, Ashburton, Eye, Wilton, Midhurst, and Wareham. He was not bringing this matter forward with a view to impede the progress of the Bill, but because he was desirous to see the calculations established on a correct basis. There was, accordingly, one remark which he wished to make in this place, in all candour, and he trusted that the noble Lord would find it worth his attention. It was this—that it would have been much better if, instead of fixing on No. 56, for the boroughs in schedule A absolutely, imperatively, and without appeal, the Ministers had looked at the lists—marked the difference, and observed where that chasm ensued which should most justify them in making the grand separation of schedule A and schedule B. Many hon. Gentlemen who were listening to him, must be aware that such was the course pursued at all the schools and all the Universities. As long as individuals were found so near to the head man, as to present no very striking shade of difference so long the same class was preserved; but when such a difference was found as to justify the separation, then the chasm was made. He was quite ready to admit, that some point of separation must be agreed upon; but he contended, that the chasm between No. 55 and No. 56, was not such as to justify the separation being there made; and if the noble Lord would be so good as to follow him through the differences of the respective boroughs, he thought that the noble Lord would very clearly see that such was the case. Taking the top of the list (and in this he was following Lieutenant Drummond's own calculations), the first stood at 903, the next 936, the next after that was ten more, the next one more, the next four more, and so on until they came to No. 52; and then there was a sudden rise from 1,294 to 1,337; this was a considerable start; but perhaps it might not be thought sufficient to justify the separation being made at that place. But now he would go on a little further: No. 54, was 1,350, No. 55, 1,380, and No. 56, 1,580—that is to say, there was a greater difference between Amersham and Brackley, Nos. 56 and 55, than between Brackley and Downton, Nos. 55 and 46. But there was another reason for making the chasm between No. 55 and No. 56, instead of between No. 56 and No. 57. The very next borough to Amersham was Petersfield, which stood at 1,604, making only twenty-four difference between that and Amersham, while Amersham was separated from Brackley by nearly 200. With such a fact as this staring him in the face, could he help asking whether it must not produce a great degree of jealousy and heartburning in those boroughs that found themselves particularly interested in the existing arrangement? He would next call the attention of the Committee very briefly to the difference which his calculations would make with regard to schedule B. He had calculated the relative importance of all the boroughs from No. 83 to 103, upon what he considered to be the correct principle, and he found the result to be this—that whereas in Lieutenant Drummond's list the order was Morpeth, Helstone, Northallerton, Wallingford, Totness, Bodmin, Chippenham, Buckingham, Thetford, and Cockermouth; the order, according to his calculation, was Wallingford, Morpeth, Northallerton, Helstone, (which was therefore turned out of schedule B), Totness, Cockermouth, Chippenham, Bodmin, Thetford, and Buckingham. Of all these ten places, which he had named, Thetford was the only borough which still kept the same place in the scale. He had another observation to make on the method of calculation adopted by Lieutenant Drummond, which he thought must strike the Committee as worthy of attention. It was possible that a place might have houses without taxes; and, if so, he presumed that the noble Lords would concede, that such a place ought not to find any admission into the calculation of Lieutenant Drummond; and yet, as he (Mr. Pollock) understood the principle, the effect would be to put a place where the number of houses was large, without any payment of taxes higher than a place that contained a moderate number of houses, and paid a moderate amount of taxes. He begged to say that he had made these observations in that spirit, which he trusted, he should always evince in the remarks he might put forth in that House; and it was now for the noble Lord to show in what manner he was willing to receive them. But there was one point in particular which he wished to press upon the attention of the noble Lord, and that was, that inasmuch as some of the boroughs were not to be considered that night, but postponed for further information, the Committee would be placed in a very delicate situation as to those four or five boroughs which were just before and after No. 86. He would admit that when Lieutenant Drummond's calculation came to No. 88 it was correct, but the question was, whether he was right in his calculation at No. 56 and No. 86. Be that, however, as it might, he had felt it to be his duty to lay his opinions on the subject before the Committee; and he begged to assure it, that he had not made this statement without paying the greatest attention to the calculations, and without having his own opinions confirmed by the judgment of others, in whom he could place the fullest confidence.

Lord *John Russell:* I shall endeavour, in answer to the observations of the hon. and learned Gentleman, to state to the Committee the principle on which we have proceeded with respect to these schedules, and why I think that I have a right to call on Parliament to rely on the system of Lieutenant Drummond. And in the first place, in order to make the matter more clear, I will state to the Committee what the question was that we put to Lieutenant Drummond, and the manner in which he proceeded to investigate that question. The question which the Government put was this—that taking a number of boroughs, equal to the number contained in the two last schedules, and adding some more boroughs to them, in order that no borough should escape, so as to make the number about 110, a scale should then be formed on the conjoint calculation of houses and taxes, from which a general result was to be deduced. Now, Lieutenant Drummond understood, and rightly understood, this question to mean, that he was to give equal weight to the number of houses and to the amount of taxes; and, therefore, he then had to consider what way he might best give that equal weight. One of the modes that was presented to his notice was, the very mode that has this evening been suggested by the hon. and learned Gentleman as the correct one, but which Lieutenant Drummond, on consideration, deemed to be inadmissible. But the hon. and learned Gentleman, by way of illustration, put the problem of a number of goods, and founds his calculation on the number of bales, and the value of the article per pound. If that was the proposition now before the Committee, I should be quite ready to agree with the hon. and learned Gentleman that he was right in taking the compound ratio and in multiplying the numbers together: but surely the hon. and learned Gentleman must see, that when you state, a bail of goods contains so much at a value of so much per pound, you state two numbers that can very properly be combined together. If, for instance, the goods were sugar, the real value of that would be easily ascertainable; and it was because there was a distinct proportion between the quantity and the price. In such a case, the hon. and learned Gentleman's proposition was unobjectionable. But when the hon. and learned Gentleman goes on to propose that this mode of calculation shall be carried on to houses and taxes. I can no longer agree in his proposition; because there is no natural and immediate method of settling what is the value of a house in taxes. There is no proportion, in fact, between them; and we, therefore, did not say to Lieutenant Drummond, "here are 500 houses worth 1,000*l.* in taxes, or 300 houses worth 700*l.* in taxes." Under these circumstances, it was felt that it would not be a fair way of arriving at a conclusion, to take the houses and the taxes of one borough as a criterion; for which reason, the plan adopted was, to take the whole number of boroughs and the whole number of houses into one scale, and the whole number of boroughs and the whole amount of taxes into another scale, and thus to found a calculation on the union of the two; and then, supposing a result of 16,000 houses and 30,000*l.* worth taxes, it afterwards came to the same thing, whether the fractional method of Lieutenant Drummond was adopted, or whether we took from that product a datum that a house was worth so much in taxes. This was the way in which the problem ought to be worked; and all who will study the question must come to the conclusion that this was the only mode by which a fair result could be obtained. But the hon. and learned Gentleman says, hence follows a great absurdity, because the positive difference is got rid of. But how is this? A is lower in the scale of taxes than B, but higher in the scale of houses; and yet the two are placed in different situations. But this arises from taking, not the positive difference, but the proportionate difference; the one number of houses, being to be compared to the total denominator which has been derived from all the houses; and the other, number of taxes, to the total denominator which has been derived from all the taxes. So that since their amounts have to be compared with different numbers, it is very evident that the results must be different. This is the real foundation and nature of the problem on which Lieutenant Drummond has proceeded; and now, having cleared up that point to the Committee, I will say a few words in explanation of what would be the consequence of the hon. and learned Gentleman's plan. The consequence would be this—that if a place was taken with fifty houses, and 50*l.* in taxes, and another taken with 100 houses, and 100*l.* in taxes, the former place, instead of being estimated, as it ought, at one-half of the latter, would only be valued on the multiplication plan at one fourth; or, to carry the same example still further—if another place of fifty houses, and 50*l.* in taxes, was added to the former place of fifty houses and 50*l.* in taxes, the two together would only stand at one-half of the place that had 100 houses and 100*l.* in taxes, though the respective amounts of the two would be exactly the same. This, too, I may be allowed to say, is a result that has already been pointed out; and, therefore, I am happy to feel that I am not here relying on my own calculations; but that I am building my own observations on the comment of some of the first mathematicians of the day. Backed by these authorities, I have no hesitation in saying that Lieutenant Drummond's plan was the best that could be adopted; and that if the hon. and learned Gentleman's method was adopted, it would lead to some very ridiculous consequences, such as that which I have already pointed out, and which goes to show that two halves are not equal to the whole. The advantage of the method which we have adopted is, that it is one consistent with itself, and that may be easily practised. But if hon. Gentlemen are inclined to consider this as a mere abstract mathematical question, I am happy to have it in my power to meet them on that ground, and to refer them to the opinions of some of the first mathematicians of the day. Mr. Professor Airey, of Cambridge, has borne testimony to the judiciousness of our plan in the following manner: "I have no hesitation in saying, that the method alone, or one equivalent to it, is the only one that can be used. If you attempt to multiply together the number of houses and the amount of taxes, you will find ridiculous consequences (as for instance the sum of two halves of a borough would not be equal to a whole), which could only be removed by more ridiculous means still. The method alone is consistent with itself and is easy." Mr. Barlow, of Woolwich, on the same subject, remarks that the system is not only correct in itself, but calculated to lead to an equitable arrangement of the boroughs, according to the conditions prescribed in the instructions. Professor Wallis, of Edinburgh, in his communication, not only approves of the principle, but goes into details for the purpose of showing that he had thoroughly given his mind to it; and, by various illustrations into which he entered at length, he proves the principle to be perfectly correct. There is one further authority which I can not consent to omit, as I have been given to understand by Captain Beaufort, that there is no objection to my alluding to Sir John Herschel by name, and to my stating that, in his opinion, the principle is fair, mathematical, and correct. I think that I have now said sufficient to show that the principle of Lieutenant Drummond has not been taken up on light grounds, nor in ignorance of that science which that Gentleman has so long and so successfully studied. But the hon. and learned Gentleman has put another point, and says, that if we take our calculation in this way, we ought to divide the schedules at that place where the greatest chasm presents itself. On this head I will tell the Committee in what way we proceeded: When the lists were first made out, the information that we had received about many of these boroughs was very incomplete; the calculations were not made out; and Government, in many instances, was not able to settle the exact position of several boroughs. The feeling of the Government, however, was, that a list of about 100 of the least important boroughs ought to be made out, under competent authority; and it was likewise considered, that as fifty-six was the number of boroughs contained in the former schedule A, it would be advisable to retain the same number in the present schedule A. But I have already stated all this to the House on a former occasion, as well as the reasons which induced us to make the number of the present schedule B 30. This being the case, it will easily be perceived that these numbers are quite independent of the question of what particular boroughs should be inserted in A and B; and it was not till the lists were finally made up (which, by the by, was not till the very day when I had the honour of submitting them to the House,) that it was determined which were to be the eighty-six boroughs composing the double lists contained in schedules A and B. I must say, that I think this, upon the whole, was the fairest way in which we could look at the subject: it was a mode entirely free from all suspicion of partiality, as the number of the boroughs being definitely fixed, it was clear that all that remained for us to do was, to take each borough in its turn, until the whole was made up. It is certainly true, that the House may adopt the suggestion of the hon. and learned Gentleman, and separate schedules A and B by a wider chasm; but then this new question will arise—which is the most proper chasm; and we shall, no doubt, have a strange variety of opinions on that subject, for I doubt not that as decided a chasm may be found between No. 60 and No. 70 as that which the hon. and learned Gentleman has pointed out between No. 50 and No. 60. I think, therefore, on these two points, that we cannot do better than proceed on the assumption that Lieutenant Drummond's principle is correct, according to the best information that could be obtained; and that, as the line of separation must be drawn somewhere, it is advisable to retain the number of the original schedule A.

Mr. *Pollock* observed, that an hon. Member cheered when the noble Lord stated, that by the multiplication plan which he had proposed, the product would give an unequal result between one single borough and two conjoint boroughs, supposing that the amount of them was respectively the same. But, he begged to say, that he was perfectly aware of the result, and that it was only because he did not wish to lead the Committee into too abstract a mathematical proposition, that he forbore pointing out that by a subsequent calculation, this supposed absurdity would be altogether got rid of. When the noble Lord spoke of his (Mr. Pollock's) plan, he begged to say, that he was not so presumptuous as to propose any plan. What he complained of was this, that the principle upon which the calculation was made, was wholly unexplained in the instructions given by Ministers, and that if those instructions were to be adhered to, the principle followed by Lieutenant Drummond was erroneous. Such was his complaint, and in it he persevered, for, although he had heard a great deal of authority from the noble Lord, he had heard but very little of argument.

Mr. *Davies Gilbert* said, that nothing could be plainer or more satisfactory than the basis on which Lieutenant Drummond's calculations were founded. The two data by which those calculations were governed were the values of the houses and taxes, and they required, as a first step, to be reduced to a common denominator, and the suggestion of the hon. and learned Member of multiplying these two data together, and of taking the product as the value, was not at all applicable to the case. The House would, no doubt, recollect that he had voted in the minority on the second reading of the Bill, because he was opposed to the principle; but this question of calculation was an abstract point of mathematics, and one upon which he felt bound to state his opinion. Were the suggestion of the hon. and learned Member to be adopted in cases where, as in Manchester, the houses were numerous and the taxes comparatively low, the result of multiplying these two into each other to form an estimate of the value of that town would be perfectly absurd; and although, in nearly equal cases, this method of multiplying the two data into each other might produce a result somewhat near the truth, yet in cases where the two factors, as they were mathematically termed, were so widely different, as they must often be in the boroughs on the list, the result of multiplying them together would be very wide of the truth. He should, therefore, simply declare—if his authority on this subject possessed any value—that he had examined the subject with great attention; and, although he could easily understand the grounds upon which the hon. and learned Member's remarks were founded, yet he was of opinion that the calculations at present acted upon were perfectly correct; and so firm was he on this point as to leave him no hesitation in declaring that he had never come to a more decisive opinion than that which he had expressed.

Mr. *Warburton* said, that although it was true that the hon. and learned Gentleman had taken honours at the University, he hoped the hon. and learned Gentleman would excuse him, if he attached more weight to the opinions of those eminent mathematicians who had been mentioned by the noble Lord, than he did to the opinions of the hon. and learned Gentleman on this subject. What he was chiefly afraid of was, that they would examine this question too mathematically, though at the same time he was quite ready to admit that they ought to guard against running into any absurdities by going to the opposite extreme. He doubted whether anything could be proposed more absurd than the gross inconsistency of coming to a decision that two halves were not equal to the whole, or that a half was not to be represented by a half, but by a quarter; and yet it was to such conclusions as these that the hon. and learned Gentleman's hypothesis would lead the Committee. The main question that Lieutenant Drummond seemed to have considered was, what amount of taxes may be considered as equal to one house; because it was naturally felt that the great difficulty was to tell how an equation was to be drawn between these two very different materials. The result of Lieutenant Drummond's calculations was, that one house was equal to 24*s*. of taxes; and this was a conclusion that was come to after taking the average of 100 boroughs. And here was one of the nice points of the inquiry; for it might be said, why was not the whole number of boroughs taken, in order to make this calculation as general as possible, so as to produce an unobjectionable equation? But the fact was, that this was purely an arbitrary question; and for anything that he could see, 100 boroughs were just as effectual as any other large number. The equation having once been arrived at, he felt sure that Lieutenant Drummond had followed it out in the only reasonable way. Not so, however, with the hon. and learned Gentleman. His plan was to multiply the two together, instead of resorting to addition through the medium of a common denominator; and he had even forgotten to tell them that when that multiplication was performed, they were then to look for the square root.

Mr. *Pollock:* I say that the square root is to be taken.

Mr. *Warburton:* Ah, now the hon. and learned Gentleman, in the shape of a second explanation, told the Committee that the square root was to be taken; but this was a trifling fact, that did not come out in the course of the hon. and learned Gentleman's speech. But, however, without going any further into this newly proposed method, he felt bound to say, that he had heard nothing adduced, that, in his mind, was sufficient to impugn the principle on which Lieutenant Drummond had proceeded.

Mr. *Croker* said, he never had heard the arguments of any hon. Member more inaccurately stated than had been those of his hon. and learned friend (Mr. Pollock) by the hon. member for Bridport. The hon. Member had reiterated the charge of inaccuracy brought forward by the noble Lord opposite, and that, too, after his hon. and learned friend had distinctly rebutted that charge. If, then, the hon. member for Bridport was so inaccurate as to what passed before their eyes in the Committee, he must be excused if he refused to place any confidence in his authority as to matters which passed elsewhere. He did not intend to attempt following his hon. friend, the member for Bodmin, through his scientific observations, although he must say, that they appeared to him to be far from convincing; nor should he attempt to follow the noble Lord, the member for Devonshire (Lord John Russell), through his remarks, which dealt but little in mathematics, and were more remarkable for authorities quoted in support of the calculations than for any reasoning upon their principle; but he begged to address a few practical observations to the Committee, and doubted not but he should be able to show that there was radical error in the principle pursued by Lieutenant Drummond. He meant to impugn the principle adopted by Lieutenant Drummond for the purposes to which it was applied. He did not mean to say, that there were not circumstances in which those principles might not be correctly acted upon, but he did contend that they were not suited to the present case. In the first place, he must notice a mistake which pervaded both the calculations and the speeches on the other side of the House. The hon. member for Bodmin and the noble Lord, had both spoken as if *relation*, and not *order*, was the point to be attained. The object of the calculations should have been to find out, not the relation to each other, but the order, in which the boroughs should have appeared. He did not want to know what relation Bishops-castle might bear to Aldborough, on a consideration of the average importance of all the boroughs of England, but he did want to know whether, in point of order, Bishops-castle, or any other borough, should stand higher or lower in the list than it did, and that the calculation did not at all decide. The *order* of the boroughs was what he wished to arrive at, and that would be arrived at by the plan suggested by his hon. and learned friend, whether the square root was subtracted or not, from the result of the multiplication. A remarkable peculiarity in the principle proceeded upon by Lieutenant Drummond was this, that it called into its aid elements which had nothing whatever to do with the transaction. Lieutenant Drummond did not attempt to arrange the boroughs upon their several individual merits, but he fixed an arbitrary standard as to the value of one of the elements, and proceeded upon that which was clearly an unjust basis. For instance, eighty-six boroughs were to be disfranchised, and what was the course which any person would naturally take? Why, any one would at once say, "What is the order in which the eighty-six boroughs stand? Which are the least considerable?" Did Lieutenant Drummond do that? No such thing. Lieutenant Drummond took 100 boroughs—fourteen boroughs more than had any thing to do with the transaction, and by so doing, changed the position of many of the boroughs. He would state a striking fact to the Committee, a fact which he thought must convince every one of the inaccuracy of the principle. Lieutenant Drummond, in his first calculation, gave in a list of 100 boroughs. That calculation was delivered before Christmas. When it was delivered, the noble Lord (Lord J. Russell) stated, that there might be a few places in it respecting which there was some doubt. The gallant officer then corrected the list, and furnished the amended calculations. Now, could any one who had heard the noble Lord, imagine that more than a few boroughs were left in a state of doubt in the first calculation? Assuredly not: no one could have supposed that the doubts entertained were to affect the positions of boroughs respecting the number of houses in which, and the amount of assessed taxes they paid, there was no difficulty or error. But what was the fact? Why, of the 100 boroughs respecting which the calculation was made, no less than forty-eight occupied a different position in the second list to what they did in the first. In other words, the first return, as compared with the second, was erroneous in forty-eight instances. When he looked at the two returns, he really thought the gallant officer could not understand his own principle.

The Committee would also remember that, in the first calculation, Lieutenant Drummond took no notice of ten small boroughs, which he considered so insignificant as not to require attention, but which, it would seem, when they did receive attention, effected a mighty alteration. A remarkable proof of the consequences of adding the ten boroughs to the calculation, which Lieutenant Drummond regarded as wholly unimportant, was to be found upon reference to Nos. 76 and 77 in the list. Great Grimsby was No. 76, and Calne No. 77. The Committee would find, that, by taking into the calculation the ten small boroughs which Lieutenant Drummond had estimated as utterly insignificant, Calne and Grimsby changed their places—Calne became No. 76, and Grimsby No. 77. Was not that one fact sufficient to shew that this was not a satisfactory mode of proceeding? But he might be asked, how was it that extraordinary result was produced. Simply in this way:—The number of houses, was upon the first calculation to the Assessed Taxes, as 456 to 543; by adding the ten smaller boroughs, the houses got a still greater weight, while the taxes declined, and, therefore, the number of houses in Great Grimsby told with a greater effect; and thus, by the addition of Old Sarum, Beeralston, Gatton, and those other magnificent places as they had been called, Calne and Grimsby had changed places. This was a point of much importance, for if Ministers had drawn the line at seventy-six, instead of eighty-six, the addition of the small boroughs would have caused the disfranchisement of Calne, and the preservation of Great Grimsby. Could it be right that the disfranchisement of a borough should depend upon, or be regulated or decided by, such vague and partial calculations? Suppose that, instead of the arbitrary number of 100 being taken for the whole of the calculation, the calculation respecting the first schedule had been confined to sixty boroughs, what would have been the consequence? Why, there was not one borough, from No. 51 to No. 59, that would not occupy a different position to what it now did. And in the same way with respect to schedule B; if the calculations had been confined to the thirty boroughs contained in it, every borough from No. 81 to No. 89 would have to change its place. Therefore, on the two very points upon which the difficulty turned would there be change and confusion. The hon. member for Bridport had stated, that Lieutenant Drummond had taken a house to be of the value of 24*s.* in taxation, but how did that operate practically in the calculation? He thought most unjustly. It had this effect:—It made a house in Appleby worth 2*l.* 5*s.* in the calculation, and a house in Westbury worth 10*s.* and yet Appleby, a town of so much respectability, that its houses were nearly five times more valuable than those of Westbury, were disfranchised, while Westbury was preserved. That was the admirable principle which was so much commended. Look, too, at the lists themselves. In the first list Helston came in under Clitheroe. Clitheroe had 990 houses, and paid 468*l.* taxes; Helston had 629 houses, and paid 841*l.* taxes. In these figures there was no alteration whatever made; and yet in the first list Clitheroe was No. 84, and in the second list No. 82; and Helston in the first list was No. 83, and in the second list No. 84. There was no reason whatever for this change but the mere addition of the ten insignificant boroughs to the calculation: and seeing such an alteration effected by such means, he must be allowed to say, that he saw no reason for thinking that if the whole of the boroughs in the kingdom had been taken into account, every borough in the list would not have changed its place. He did not assert that that would be the case, but he contended there was nothing to shew that it would not. He contended that the principle adopted was neither certain nor safe. *Order*, and not *relation*, ought to have been kept in view, and that could only have been effected by deciding the order of the boroughs with respect to houses and taxation. If those two elements had been kept distinct until each borough had been under them assigned its respective place, then a compound order might have easily been framed. He was of opinion, that Westbury should stand No. 56, and not Amersham, and that Wallingford should take the inferior place now assigned to Helston. When they came to those places in the list, he should propose such changes, and be ready to justify his proposition.

Colonel *Davies* thought the arrangement of the boroughs was made on an erroneous principle, inasmuch as it proceeded upon two grounds, as the basis of the calculation, when, for all useful purposes, one would have been sufficient. He did not presume to find fault with Lieutenant Drummond, but with those who had given him directions; he had acted up to the principles he was desired to proceed upon, no doubt, and on that probably his calculations were correct, but the result was, so far as the House was concerned, that they were involved in a maze of figures, which appeared to puzzle the heads of the wisest among them. He was of opinion, that taxes and houses should not be compared. One of these tests should have been taken to the exclusion of the other. If it should happen that two boroughs contained exactly the same number of people, or paid exactly the same amount of taxes, on which ever element the calculation was founded, then the other test might be brought in to decide between them, but as a general principle taking the two conjoint tests was fallacious, and caused anomalies and discrepancies in the scale. For instance, Brackley, which was the 56th on the list, was to be wholly disfranchised, although it contained 161 10*l.* houses, while Midhurst, which stood 62 on the list, and contained 157 10*l.* houses, escaped with one Member. Again, Dartmouth which stood at 79, was to retain one Member only, although it contained 411 10*l.* houses, while No. 88, which contained only 200 such houses, was to return two Members. How could a system which produced such results be adopted, for a borough with a smaller number of voters would be retained, and the larger one discarded. He could not conceive that such an anomalous arrangement would work beneficially. Having based the Bill upon the 10*l.* franchise, if in building the superstructure, they allowed such a place as Wallingford, which contained 212 houses of 10*l.* value to return two Members, while Totness, which contained 283 10*l.* houses, was in part to be despoiled, they introduced a great anomaly into their own work, to which it was no answer to say, the borough with the smaller number of houses paid the most taxes, for these taxes might be paid by a few wealthy individuals.

Lord *Althorp* wished to trouble the House with a few observations, in reference to what had fallen from the right hon. Gentleman. It was quite clear, that if it was intended to give equal power to taxation and the number of houses in this calculation, it was necessary to compare the taxes with taxes, and the houses with houses. Therefore Ministers were obliged to take the amount of the whole of the houses, and the amount of the whole of the taxes. The right hon. Gentleman had said, that the ten first boroughs ought to be taken in: the reason they were not, was, that there was a variance in the number of houses, and the amount of the taxes between these ten and the rest of the boroughs. In one case there were thirty-five houses, and 14*l.* taxes: in St. Mawes there were 139 houses, and 14*l.* taxes. It would not, therefore, have been either fair or just if Government had proceeded in the way the right hon. Gentleman proposed. The hon. and gallant Gentleman said, that they ought to have taken houses with houses, and not have referred to taxation at all. The best way of applying the rule was to look to the place itself. If boroughs were placed in schedule A which ought not to be in schedule A, and in schedule B boroughs which should not be in schedule B, it must then have been admitted to the House that there was something perfectly defective in the view Ministers had taken, and that it could not be preserved. But no man who was of opinion that some disfranchisement should take place, would refuse to acknowledge that schedule A contained only such boroughs as ought to be disfranchised. The right hon. Gentleman had spoken of Amersham and Westbury. He would not argue the question *à priori*, and should feel it a matter of indifference whether the decision of the Committee was, that one of these boroughs should be in schedule A, or that the other should be placed there. If the right hon. Gentleman looked to the number of houses in the boroughs in schedule A, he must at once admit that they were generally below the necessary amount. Ministers had not laid down the number of 300 houses as a strict rule, however, because the only circumstances which made it necessary to establish some such rule in the former Bill was, that they directed the Commissioners to do that which was to be done now by the House itself—to prescribe the limits of the boroughs. In the former case it was necessary to give the Commissioners some rule to go by, but that was now settled by the Committee, and it was not necessary to tie down the Committee by such strict rules. He was satisfied of the correctness of Lieutenant Drummond's calculations, and hoped that the House would place equal confidence in them.

Sir *Charles Wetherell* did not think that the practical view of his learned friend (Mr. Pollock) had been answered. His proposition was, that for all purposes of trying the question, the houses and taxes ought to be considered as equivalents in value, and the boroughs placed on the list according to their relative amounts of both added together. How had Ministers formed this list of boroughs that were to be disfranchised? What were the data on which that list was founded? To meet his inquiry, the noble Lord tendered him a large volume, and he need scarcely remind the House that a great book was a great evil. Now, he wanted something else on which, as a Member of Parliament, he could form his opinion. He had heard much learned discussion from the senior *optimes* in mathematics. But he would say, "Away with the mathematicians,—away with speculative arguments,—and let us look at the question as Members of Parliament." If they desired to observe it with the eyes of men of business, perhaps some of the hon. Members opposite would inform him why Midhurst, which had but 122 houses, was to send one Member to Parliament, whilst other places, having 200 houses, were placed in schedule A, and were to be deprived of both Members? He would maintain that there were boroughs included in schedule A which had double the number of houses of some of those that were enumerated in schedule B, and he was anxious to know by what species of process those mathematical Gentlemen preserved one Member for the latter, while they wholly disfranchised the former. He was sorry that those who framed this extraordinary plan had not some chymists as well as mathematicians amongst them, because they might then have placed the houses and the taxes in a crucible together, and formed a new system out of the amalgamation. He looked upon this plan to be exceedingly unsatisfactory, because those who had formed it had not explained, and he believed could not explain, how they had arrived at such a result. The noble Lord said, that Ministers had formerly been blamed for founding their principle of disfranchisement on mere population, making it extend to places where the inhabitants were under 2,000, "and, therefore," said he, "we took the more certain ground of houses and taxation, that being a more perfect principle." He denied that it was so. It was less clear and intelligible than the other. He was, indeed, puzzled by these mathematicians, because he could not conceive why a borough should retain a Member when another borough which had more inhabitants was deprived of both its Representatives and this was the case in many instances. The calculations he looked upon as altogether erroneous, and the political principle on which the noble Lord proceeded struck him as being totally incorrect.

Lord *Milton* had paid the greatest attention to the statements made, and the arguments so ably and ingeniously drawn from that statement, supposing that statement and the assumptions it contained to be true, by the hon. and learned Gentleman opposite (Mr. Pollock); yet he confessed he differed altogether with him in the inferences he had drawn as respected the value in the list of the two boroughs of Westbury and Petersfield, because, though he admitted the statement that Petersfield had 278 houses, and 540*l.* taxes, whilst Westbury had 536 houses, and 278*l.* taxes, yet the inferior number of houses in the one case depressed the borough lower than the greater amount of taxes raised it in the scale. The whole number of houses in all the boroughs in schedule A, was 10,746, while the whole amount of the taxes was 10,194*l.* It was evident, therefore, that the 278*l.* of taxes, was not equal to 278 houses, and notwithstanding the difference between 540 and 536, still that did not make up for the inferior rate of taxes to houses.

Mr. *Stephenson* defended the mode in which Lieutenant Drummond had drawn up the lists, as being likely to procure, without going into details of a mathematical nature, the most correct practical estimate of the positions each of these boroughs ought to occupy with respect to each other, and upon the schedules A and B.

The question that the borough of Old Sarum, Wiltshire, stand part of schedule A, was then put and agreed to.

The question was then severally put on the following boroughs, and carried amidst loud "Ayes" from the Ministerial, and equally loud "Noes" from the Opposition Benches, and they were accordingly ordered to stand part of schedule A :—Newton, Isle of Wight; St. Michael's, Cornwall; Gatton, Surrey; Bramber, Sussex; Bossiney, Cornwall; Dunwich, Suffolk; Ludgershall, Wiltshire; Saint Mawes, Cornwall; Beeralston, Devonshire; West Looe, Cornwall; St. Germains, Cornwall; Newport, Cornwall; and Bletchingley, Surrey.

On the question that Aldborough stand part of the schedule,

Mr. *Croker* said, that on a former occasion he had stated, that in his opinion this borough ought to have been united with Boroughbridge, and that with such an union it would be better entitled to Representation than some of the boroughs which were retained, and he had pledged himself to bring forward a proposition to that effect; but he considered it fair to the House to decline making such a proposition, on the ground that when united these places would not stand lower than about 54 or 55, and he therefore thought it useless to give the Committee any further trouble on that point.

The question agreed to.

The question was severally put and agreed to on the following boroughs :—Camelford, Cornwall; Hindon, Wiltshire; East Looe, Cornwall; Corfe Castle, Dorsetshire; Great Bedwin, Wiltshire; Yarmouth, Isle of Wight; Queenborough, Kent; Castle Rising, Norfolk; East Grinstead, Sussex; Higham Ferrers, Northamptonshire; Wendover, Buckinghamshire; Weobly, Herefordshire; Winchelsea, Sussex; Tregony, Cornwall; Haslemere, Surrey; Saltash, Cornwall; Orford, Suffolk; Callington, Cornwall; Newton, Lancashire; Ilchester, Somersetshire; Boroughbridge, Yorkshire; Stockbridge, Hampshire; New Romney, Kent; Hedon, Yorkshire; Plympton, Devonshire; Seaford, Sussex; Heytesbury, Wiltshire; Steyning, Sussex; Whitchurch, Hants; Wootton-Basset, Wiltshire; Downton, Wiltshire; Fowey, Cornwall; Milborne Port, Somersetshire; and Aldeburgh, Suffolk.

The question was then put, that the borough of Minehead, Somersetshire, stand part of the schedule.

Mr. *Goulburn* trusted the House would recollect, that when this borough was under discussion, on a former occasion, it appeared that all the inhabitants of the parish of Dunster had a right to vote in the borough, and although the limits of the borough were confined to a portion only of the parish of Dunster, yet that restriction in no degree interfered with the right of the inhabitants of the latter place, that is to say, those situated without the limits of the borough, to vote. If the Bill before them proceeded upon any intelligible principle, it ought to include within the limits of a borough all the persons which heretofore had the right of voting for such place. He observed, however, that all that part of the parish of Dunster outside of the borough of Minehead was excluded; he begged, therefore, to be informed of the cause of this omission.

Lord *John Russell* said, that, after a careful examination, it had been found, that no persons had votes for Minehead, except parishioners either of Minehead or Dunster resident in Minehead.

Mr. *Croker* could by no means understand, how it was, that the inhabitants of the parish of Dunster, which now possessed the right of voting for Minehead, were to be deprived of it.

Lord *John Russell* observed, that the inhabitants who had the right of voting were not excluded, because no one possessed that right unless he resided within the limits of the borough.

Mr. *Croker* said, that was no reason at all for excluding Dunster from the borough of Minehead. He was afraid that, when they came to the discussion of the Boundaries Bill, this would be one of the many proofs that would be appealed to, to show that they were then creating boroughs, not near so rich, populous, or flourishing, as those which they had in this way disfranchised.

The question put, and carried; and Minehead was accordingly placed in schedule A, as were also the following boroughs:—Bishop's-Castle, Shropshire; and Okehampton, Devonshire.

On the question that the borough of Appleby, Westmoreland, stand part of schedule A,

Mr. *Croker* said, that, as the understanding at the commencement of the evening was, that the undisputed boroughs only should be disposed of on that occasion, and that an interval of another day should be allowed before the cases of those which were doubtful should be considered, he trusted the noble Lords opposite would not think it unreasonable if he proposed that they should stop at Appleby. It was necessary that the additional information, with respect to that and the remaining boroughs in schedule A, which had that evening been laid upon the Table, should be examined before the Committee came to any decision with respect to them. Under these circumstances, he hoped that the Chairman would be allowed to report progress, and that the consideration of the cases of the remaining boroughs, which it was proposed to disfranchise, should be postponed until to-morrow.

Lord *Althorp* admitted the understanding which had been entered into in the earlier part of the evening; but did not conceive that the line between the disputed and undisputed boroughs could be properly drawn at Appleby.

Mr. *Croker* said, that, as at present advised, he believed in his conscience he could make out a case which would take Appleby out of schedule A. Whether an examination of the additional information to which he had alluded would weaken that conviction of course he was then unable to say; but if, after the investigation which he requested to be allowed the opportunity of making, he should come to the conclusion that the case of Appleby was untenable, he should, to-morrow evening, be ready to admit it. At all events, he thought it would be extremely inconvenient, as well as highly improper, to go into any discussion upon it at present.

Lord *Althorp* had no wish to press the further progress of the Committee that evening, if seriously objected to.

The House resumed, Committee to sit again the next day.

SUB-LETTING ACT (IRELAND).] The House then resolved itself into a Committee on the Bill for amending the Sub-letting Act (Ireland).

On the clause providing "that every assignment or sub-letting, and every lease, deed, and instrument, or other agreement or proceeding, whereby such assignment or sub-letting should be made without the consent of the landlord, shall be, and be deemed, wholly null and void, to all intents and purposes,"

Mr. *Wallace* said, some clauses in the Act which it was proposed to amend were liable to many and serious objections, because they went to establish a principle of difference and disseverance between the two countries. The Bill interfered with the just rights of the tenants under the common law, and gave undue power to the landlord. It tended to establish a new principle, affecting the whole body of the Irish tenantry—a principle, in every respect, most injurious. It would throw into the hands of the Irish landlords a vast power, and subject the tenant to infinite oppression. On these grounds, he objected to the principle of the Bill; and, before it passed, he begged to call upon the House to deliberate whether this was a time in which it could be justified in enacting any law by which discontent and disaffection would be created in that country? The benefits expected by its supporters were not at all likely to be realized; but even if there was the strongest probability that they would be, was it proper, at a time like this, to establish a principle of disseverance: to have one law for one country, and another law for the other? Nothing could be more unwise, than at such a time, to establish such a principle. Nothing could shew the feeling prevailing on this subject more than the fact that the people of Ireland were ready to cry out against this measure as one body. It might be said, that by it they were only deprived of the common-law privileges which were enjoyed by the people of England. Why, that was depriving them of some of the most valuable benefits of the common law; and it left the Irish peasant open to the oppression of his landlord. It was one of the worst features of the Sub-letting Act, that it gave an undue power to the landlord of entering for his rent on the resident tenant's land; it was opening a breach, of which he might avail himself, to the injury of the tenant; which injury, it was the province of the common law to protect him from. Circumstances might arise when the landlord could take advantage of that breach, which he had created and contrived, for his own benefit. They ought, therefore, in justice and fair dealing, before those clauses were passed, to look well at the consequences which must inevitably follow, before they deprived the tenant for ever of that protection, which, by the common law, as it now stood in both countries, he was entitled to receive. If this law passed, the landlord contemplating the improvement of his estates, might look forward to the period when the improving tenant might make the land more valuable; and when he saw the day that he could reap a profit, then, and not till then, might the landlord take possession of the property of his tenant. He asserted, that the landlord, if this clause passed into a law, would have the power, amongst other evils, of maltreating and defrauding his tenants, the contract not being binding, except when given in writing. If this Bill passed into a law, the tenant, relying on that permission which his landlord might have given by parole, would find himself, at an unlucky moment, at the mercy of his landlord, who, if it suited his convenience, might avail himself of the breach which he had aided in making. He had minutely considered it, with the alterations proposed, and he challenged his hon. friend, the Solicitor General for Ireland, to show that he had mistaken the law and character of the clause. He was aware that the higher class of landlords were far above the possibility of committing any fraud, even if this Bill was carried, but there was a class of landlords from whom everything was to be feared. He alluded to the middle-men, who were not under the influence of those high feelings of honour, which was possessed in so eminent a degree by the higher class of landlords. Those persons had the power of sub-letting, and their sub-tenants would be the sufferers under this Bill. They would have it in their power to set the people of Ireland in opposition to the landlords by this clause, and that power ought not to be given them. It had been said, that this clause would tend to enforce the performance of covenants, which would be of great service in Ireland, and would prove beneficial both to landlord and tenant. But he could not consent to this prospective advantage being purchased at such a price as that of leaving a tenant exposed to frauds without redress. If anything could conduce to the benefit of the tenantry of Ireland, and not prove injurious to the landlord, nor so strengthen the landlord's right as to have the effect he had described, he should be ready to support a measure of the kind. But he thought such a benefit ought not to be purchased at the price of laying the tenantry prostrate at the feet of the landlord. It might be said this clause could be amended; but he defied his hon. friend to make any amendment without giving up, virtually and substantially, the point he had stated, which would, in its effects, destroy the principles of the Bill. Nothing could be done, which could amount to a waiver, which would not have that result. It was said that, in the existing state of Ireland, a very strong remedy was required to protect the landlord, and to support him in the maintenance of existing covenants, and that the juries of Ireland shewed a prejudice against him. But he believed that was a slander against the Juries. The Juries of Ireland were not more liable to lend themselves to the infringement of those covenants than the Juries of England. He was willing to admit that, in contests of this kind, Juries had frequently found for the tenants, and against the landlords, but the probability was, that the verdict of the Jury was consistent with both law and justice, and was founded on some Act whereby the landlord had waived the covenant, or had created the breach he sought to avail himself of. There were very few instances where the verdict had been given against the evidence, or where, when the verdict was against the landlord, it was not manifest that the landlord was not the aggrieved party. But admitting the argument that Juries might, in some instances, have given a verdict contrary to evidence—was not the party able to bring the case before the Court above, which had always the power of correcting this evil, by setting aside the verdict? He did, therefore, respectfully submit, that where there was such a remedy, any argument that might be advanced on this part of the subject, might be considered as of no weight. But he begged still further to observe, that these were no sufficient reasons why the tenantry of Ireland were to be deprived of the benefit of a trial by Jury, because Juries sometimes gave a verdict contrary to law? The passing of this measure would give a new stimulus to the cry raised in Ireland for a repeal of the Union; and, nothing ought to be done to justify those who desired a separation.

Mr. *Stanley* felt it unnecessary to detain the Committee many minutes in explaining the merits of the present Bill, and of the clause then before the Committee. The evidence of several Committees went to show that a source of the impoverished condition of Ireland was the habit of splitting up farms into endless subdivisions. To check that practice, therefore, would be, to remedy a great evil, and produce a great good. Accordingly, the Sub-letting Act was introduced with the sanction of a large majority of both houses of Parliament. It being, however, found that that Act pressed rather severely upon the tenant to the advantage of the landlord, a remedial measure was introduced, under the special consideration of the present noble and learned Lord who held the Great Seal in Ireland the basis of which was the protection of the interests of the poor tenant. It was quite true, as the hon. and learned Gentleman had stated, that if this clause fell, the Bill itself would fall with it. He should much regret, that such an event should happen, for then the evils which the peasantry of Ireland suffered from the minute subdivision of land would be without a check, except that which was imposed by the present Sub-letting Act, against which so many complaints had been made. The present Bill retained all that was good in the Sub-letting Act, while it corrected the errors into which the framers of that measure had fallen. One of these was, that the common-law rights of the tenant were taken away—by the present Bill it was proposed they should be restored. By the Act at present in existence, the mere non-permission to alienate was held to be an actual prohibition. This Bill went to declare that that construction put upon a non-permission should be at an end. It said to the landlord, that if he allowed his tenant to assign, his remedy for rent should be against that tenant, and not against the sub-tenant; and it said to the tenant, that if he sub-let the lands against his landlord's prohibition, or without his landlord's permission, his remedy against the sub-lessee should be gone, and the landlord alone should have the right of distress against the sublessee and occupying tenant. These provisions were intended to secure the poor tenant from having his last farthing or his last bit of goods taken from him to satisfy the debt of another man—they were intended to protect him from the dreadful system of repeated distresses which several middle men, each in his turn, had had the power of issuing against the wretched occupier of a single acre of land. No doubt the present transition stage from the subdivision to the consolidation of farms was and would be attended by cases of personal hardship, but he believed not a single tenant had been ejected in Ireland under the Sub-letting Act. Many poor tenants he knew were ejected, under the process of clearing farms—that is under the extraordinary powers with which the existing law armed the Irish landlord —but none, he believed, under the Sub-letting Act. That Act, and the present measure had been denounced as inhuman and tyrannical in principle, as if, forsooth, protecting the poor tenant against oppression and tyranny was not the very reverse. At present, land was let in Ireland five and six deep, and the wretched occupant of a cabin with its acre, was ground to the earth to eke out the profits of these six landlords upon landlords. Was it inhuman to protect him against this oppressive weight, by making him responsible to one landlord only, and by preventing the frauds of the other intermediate landlords from being visited upon him? The present Bill he repeated, remedied the evils of the Sub-letting Act; for it restored the tenant to his common-law right, and it restored to him, too, the power of devising. The only restraint was that which he had mentioned; and the Bill declared, that no Act of one or the other of the parties, except by something of as solemn a nature as the contract they had originally entered into, should do away with a written lease, which both of them could understand, and which neither of them ought to violate.

Mr. *Leader* was rather surprised at the argument of the right hon. Gentleman. If the new law was so good, why not make it also the law of England? The right hon. Member contended, that the principle of the Bill was the same with that of the Sub-letting Act, and that hon. Members had admitted that the principle of that Bill was good. He must enter his protest against such an assertion. He should much prefer leaving land in Ireland as it was before the adoption of the Sub-letting Act; that was, to be let and relet according to common-law usage. That Act was passed at the instance of the Irish landlords, for their own sordid purposes, and should not receive the support of any man anxious to rescue the Irish poor man from the thraldom of the great landholder. For twenty or thirty years, during which it was prosperity and sunshine with the Irish landlords, when, to indulge their own unconstitutional and most sordid purposes, they fabricated 40*s*. freeholders *ad libitum*, and when the war-price of grain enabled the farmer to pay enormous rents, —no complaint was to be heard of the sub-letting system, but, on the contrary, loud praise. But when it became no longer a profitable trade to cut up land in 40*s*. freeholds, and when low prices led to low rents, the Irish landlords, for their own sordid purposes, turned round on their own long-cherished usages, and cried out for no subdivision—" let us have nothing but large farms." The evil of Ireland was, want of the application of knowledge-directed labour to its soil; and as a means to attain that most desirable end—indeed the only practical means within the reach of the industry of Ireland—the subdivision of land was absolutely essential; and, until that subdivision be freely permitted, there would be no peace or prosperity in Ireland.

Sir *John Bourke* would vote for the present clause, if he could persuade himself that its tendency would be protective of the interests of the tenant; but, as he very much feared that such would not be the result, he would move as an Amendment that the words "shall be in future" be substituted for "are" with respect to "lands and tenements" contemplated by the clause.

Mr. *Lambert* was unwilling the tenantry should, in any instance, be treated with harshness; but he thought that they should not be suffered to violate a covenant on account of a mere breach of form on the part of the landlord. He should only add, that the present Bill met with his approbation upon principle.

Mr. *O'Connell* said, that with respect to the clause more immediately before the House, he trusted, that although it might be decided that the covenants should be held to be null and void, against the head landlord, if he thought proper to enforce the prohibitory clause in the original contract, yet such contracts ought to be considered valid between the lessee and the sub-tenant, or there would be very frequent collisions between them, each desiring to take advantage of the other whenever circumstances would admit of it. He knew from experience the opportunity which this Act gave for such acts of fraud and injustice, and he, therefore, was decidedly of opinion such contracts should be mutually binding.

Mr. *James Grattan* observed, that successive Secretaries for Ireland had found this a question of very great difficulty, and he was therefore apprehensive that the right hon. Gentleman would be disappointed with the working of his measure. He was of opinion, that the subject should be fully investigated before a Committee.

Mr. *Jephson* considered one of the provisions of the present Bill, a great improvement upon the former, for it abolished that unjustifiable interference with the right of property which the existing law tolerated; but still he had objections to parts of it. By the exception allowed to lands possessed by cities and boroughs, the effect would be, to exempt, in the county of Cork alone, 50,000 acres of land from its operation.

Mr. *Cutlar Fergusson* approved of the principle of the Bill, and was of opinion that if a similar law were introduced into this country, it would be an improvement. It was the law of Scotland, and of almost every country that boasted of a system regulating real property. It had been asked whether, by this Bill, it was meant to prevent the tenant from sub-letting the land under any circumstances. It was certainly not so intended—nor had the Act that effect. The meaning of the Act was, that the tenant should not underlet the land against an express covenant in the lease. It put an end to the doctrine of implied waiver, but he admitted that it was an innovation on the common law. By the common law, a waiver of the right of entry on a breach of covenant was implied by the landlord doing anything subsequently which recognized the tenant as still in rightful possession; but by this Act the dispensation, or waiver, was required to be proved in writing, before the landlord should be estopped from entering upon the land for a breach of covenant. If there was one modern improvement of the law greater than another, it was that which was recently introduced with regard to the Statute of Limitations; although a debt was barred, under that Statute, by length of time, yet the debt might be revived by a verbal promise—a doctrine which frequently led to perjury and fraud; but Lord Tenterden introduced a Bill in which it was enacted, that no debt barred by the Statute of Limitations should be held to have been revived, unless there was evidence of a fresh promise in writing. In the present case, this Act said, a tenant should not sub-let, unless he produced evidence in writing that the landlord had assented to it. All that this Act said was, "you, the tenant, may sub-let, and you, the landlord, may waive the covenant, but the possibility of fraud in either case, shall be shut out by requiring evidence in writing showing the landlord's consent to dispense with the covenant." The principle of the Bill was, to destroy the doctrine of implied waiver, by which so much fraud and injustice had been done. The right of entry having accrued, this Bill would require evidence in writing of the dispensation of that right, so that the right should not suffer from those acts which may be construed into an implied waiver.

Mr. *Ruthven* said, there was no doubt but that the Bill was an improvement in the Sub-letting Act; but still it was a law not called for by the necessity of the case, and it had, besides, the defect of not being distinctly marked as a prospective measure only, and might therefore very much interfere with existing contracts on old leases. It had been defended on the ground that it would prevent the minute subdivision of land at present prevailing; but although he had no wish to see land divided into such small allotments as 40*s*. freeholds; yet he believed that industry and prosperity were more likely to prevail among small farmers than by having large leaseholders and a number of miserable labourers.

Mr. *Henry Grattan* had no doubt that the Bill was inexpedient. It would not obviate that great evil—the minute division of land; it had not been called for by the Irish people, nor was it popular amongst them.

Mr. *Walker* said, that subletting had been a very great evil, but, unfortunately, the remedy introduced had also mischiefs concomitant with it, from its retrospective effects. The present Bill was, however, a great improvement on the Act now in force, and it should have his support.

Mr. *Maurice O'Connell* agreed that this was a great improvement on the former Bill. The right hon. Secretary for Ireland had, however, committed a serious mistake in seeming to throw the middle men of Ireland overboard. It was to be borne in mind, that the middle men held under great proprietors who never visited the country, and that the great majority of the resident gentry of the country consisted of that class.

Mr. *Crampton* said, that hon. Gentleman appeared to be arguing the question upon the supposition that the Bill was opposed to sub-letting, but that certainly was not its intention. Its object really was, to make the contracts between landlords and tenants binding, and to provide against their being violated by fraud.

Mr. *Wallace* repeated his objection to the clause before the Committee, as depriving the tenant of the Common-law construction of every covenant in his favour, and declared that he should at all events put his name on record against a Bill which invested landlords with powers which might be tyrannically exercised over their tenants.

The Committee divided on the Clause: Ayes 111; Noes 10.—Majority 101.

Clause agreed to.

Mr. *Maurice O'Connell* moved, that the Chairman report progress and ask leave to sit again, as the hour was so late that it must be highly inconvenient to proceed.

Mr. *Stanley* said, that he could not consent to postpone the other clauses; for so far as discussion produced benefit, they had already been sufficiently discussed, and were the House now to postpone this subject, it would only lead to a revival and a repetition of the arguments which had just then been uttered.

The Committee divided on Mr. Maurice O'Connell's Motion: Noes 98; Ayes 6.—Majority 92.

The Clauses were agreed to.

The House resumed.

HOUSE OF LORDS,
Tuesday, February 21, 1832.

MINUTES.] Petitions presented. By the Duke of RUTLAND, from the Owners of Real Property at Wisbeach, against the General Registration Bill:—By Lord KING, from the Tithe-payers of Kilrane, Barony of Forth; of Landowners and Landholders of Ratoath; and of the Inhabitants of Kilcoan, Barony of Bargy; and from the Inhabitants of Balaconick, Barony of Bargy, for the Abolition of Tithes.

NATIONAL SCHOOLS (LONDON).] The Bishop of *London* trusted, their Lordships would allow him to make one observation connected with a remark which fell from him the other evening, on the subject of the closing of the National Schools in the City of London, the dispersion of the Scholars, and the conversion of those Buildings into Hospitals for the reception of Patients labouring under the disease of Cholera, with which the Metropolis was now unhappily afflicted. It appeared some misapprehension existed on the subject, and, therefore, he begged to state, that these measures of the closing of the schools in question, and their conversion to the purposes he had mentioned, did not originate with the Central Board of Health in the City of London, but with the Central Board of Health of the metropolis. The recommendation to close them was made by the latter Board to that of the City of London, and had been acted upon, he regretted to add, in many instances. He had thought it necessary to say thus much, because his observation went to affect the conduct of that Board; which instead of having issued the order itself was merely the medium through which the recommendation of the Central Board of Health of the metropolis was conveyed. He had thought it necessary to give this explanation in justice to the parties in question.

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HOUSE OF COMMONS,
Tuesday, February 21, 1832.

MINUTES.] Returns ordered. On the Motion of Mr. PIGOTT, the Gross Amount of the Sums paid by Persons compounding for their Assessed Taxes, under 59 George 3rd, cap. 51, in each of the three years ending 5th April, 1822; similar Returns of the Sums paid by Persons compounding, or renewing their Compositions, under Acts 1 and 2 George 4th, 4 George 4th, 5 George 4th, and 7 George 4th, in each of the nine years, ending 5th April, 1831:—On the Motion of Colonel DAVIES, a Copy of the Instructions issued by the Governor of New South Wales, for the Regulation of the Penal Settlements:—On the Motion of Mr. CROKER, Estimates showing the Superficial Extent in Acres of the Boroughs in Schedule A from 46 to 56, and of all the Boroughs hereafter to send Members to Parliament under the Bill now in progress through the House, the extent of the Limits of the New Boroughs to be included in such Estimates:—On the Motion of Lord MILTON, of the total quantity, and cost of Wheat purchased by the Victualling Office for the use of the Navy, from 1816 to 1831, inclusive; the same Return of Bread Purchased or Contracted for by the Commissariat for the use of the Army:—On the Motion of Mr. HUME, of the Officers for whom Services of Plate were provided at the Public Expense, and transferred with the Office on Non-appointments, stating the Expense of each Service; and of the several Public Officers who were allowed Outfits of Equipage, with the Amount allowed, and by what Authority the same was fixed; of the Compromise or Agreement entered into in 1824 with the Executrix of the late Colonel Browne, the Agent for Recruiting in Ireland, relating to the Payment of 170,000*l.* due from the said Colonel Browne at his decease, and an Account of the Sums paid Annually on Account of the Same, and the Sum remaining now due; an Account of the Expenses incurred, and the Number of Reportsp resented by the Commissioners of Inquiry during the years 1830 and 1831; of the Persons to whom 556*l.* was paid as Fees on the Patent creating Sir JAMES SAUMAREZ a Peer; of the Expenses and Receipts of Printing and Publishing the *London Gazette*, during the year 1831.

Petitions presented. By an HON. MEMBER, from the Inhabitants of Cardiff and Cowbridge, praying that those towns, with Llantrissent, may return one Member, and that Merthyr Tydvil might have no share in such Return:—By Sir HENRY WILLOUGHBY, from Dartmouth, praying that that Borough may be transferred to Schedule B:—By Mr. PIGOTT, from Solicitors in the County of Buckingham, against the General Registry Bill:—By Mr. WRANGHAM, from Great Grimsby, praying that the Borough might be taken out of the Disfranchisement Schedule, and retain its privileges of returning Two Members:—By Viscount DUNCANNON, from the Inhabitants of Ballycallan, praying that a Member may be given to the City of Kilkenny instead of Dublin University in the Irish Reform Bill:—By Mr. HODGES, from the Inhabitants of Folkestone, against the Union of that place with Hythe to return one Member only:—By Mr. CHARLES DUNDAS, from the Owners and Occupiers of Mills at Halifax, against the Factories Regulation Bill:—By Mr. SHAW, from the Guild of Merchants, Dublin, to continue to that City the benefit of the Coal Meters Superintendance:—By Mr. HUME, from Thomas Wakley, for an Inquiry into the Causes of the Distress at Bethnal Green and Spitalfields:—By an HON. MEMBER, from the Guild of Shipwrights, Galway, praying that the peculiar Franchise of that place might be preserved.

SILK-TRADE.] Mr. *Alderman Venables* presented a petition from persons engaged in the various departments of the Silk-trade of the metropolis, complaining of the importation of foreign silk goods, and praying for an inquiry into the condition of the silk-trade. He begged leave to state to the House, that the persons who had signed this petition usually employed 150,000 persons, and they were individuals who represented a considerable portion of the capital employed in the silk-trade. He must, therefore, express his anxious opinion, that this petition deserved the most serious attention of hon. Gentlemen. The petitioners stated the present dreadful condition to which operatives were reduced, and represented to the Legislature the immense losses they had sustained in their business; they stated, that the distress which at this moment pervaded the silk-trade throughout the empire was unexampled; and that, whereas, on former occasions, they had some cause to look for future improvement in their trade, they could not, at the present moment, indulge in any hope of a removal of the pressure under which they suffered though their manufacture generally was cheaper and much better than formerly, because the British public were supplied by the French manufacturers. They affirmed, that the distress, of which they complained, did not arise from any diminution of the consumption of silks, but from the unprotected state in which they were placed by the policy of the Government of this country. The petitioners also affirmed, that a great proportion of the inhabitants of the parish from whence this petition chiefly emanated, were employed by themselves, and that they were almost unable to continue their trade. They stated that the employment which they were able to give, would scarcely keep the workmen from actual starvation, and that these poor men had scarcely any clothes to cover them. They attributed this unexampled pressure to the extensive use of foreign goods, and the consequent want of labour for the weavers. They stated their anxiety that a revision should be made by the Legislature, in the law relative to the importation of foreign silks, as they represented the whole of the silk-trade of the country to be in a similar condition with that of the metropolis. He must observe, in giving his most earnest support to the prayer of this petition, that it had never been his practice to make strong, unnecessary, or unfounded statements of the distresses which might be suffered. He assured the House he would much rather be engaged in the attempt to alleviate that distress, than to blazon forth exaggerated accounts of the pressure complained of. But he was bound in duty to state, that the present situation of the weavers in Spitalfields was more deplorable than upon any former occasion. There were at this moment not less than 1,100 persons in the parish workhouse, and upwards of 6,000 paupers on the parish books. As a further illustration of the depression of the trade, he must state, that the reward for their labour, as indicated by the rate of wages, was in itself decisive as to their condition. In 1825, the average was 16*s*. 7*d*. per week—in itself comparatively a very imperfect remuneration. After that, the reciprocity system of Mr. Huskisson was applied to the silk trade, and, as a consequence, in the next year, the wages fell to 7*s*. 9*d*., from which they had since fallen to 6*s*., and, in some instances, to 2*s*. 10*d*. He hoped that an inquiry would be instituted into the general state of our manufactories as connected with the silk trade, and he was sure it would be found that the pressure arose from the inability of our manufactures to compete with those of Lyons at the present scale of duties, and not from any removal of the trade to Manchester, Coventry, or other places, or to a decreased consumption of silk. The petitioners did not presume to press any specific remedial measures upon the House, they merely wished their situation to be thoroughly inquired into, but he knew their opinions went to the extent of desiring the prohibition of foreign silks, as they felt the present duty of 10*l*. per cent afforded them no adequate protection.

Mr. *Hunt* regretted that none of his Majesty's Ministers were in their places, as he had called their attention to the state of the poor in Bethnal-green, and he had hoped that some inquiry would have been made on the part of Government into their condition.

Mr. Alderman *Waithman* fully concurred in the prayer of the petition, and would take that opportunity of stating, that he had a similar petition from the operative silk weavers of Spitalfields. He had presented petition after petition on the subject for years, and every word he had stated had been verified. He always thought it unjust that foreign silks should be allowed to interfere with the home market, particularly when we could produce more than sufficient for our own consumption. The petition with which he was intrusted was signed by 9,000 heads of families, who stated that the fears which they had long entertained had been realized, and that they were reduced to the greatest distress; that their wages had fallen from 18*s*. a week, to 6*s*. and 8*s*.; and that they were in a worse state than slaves in the West Indies. The petitioners went on to state, that 10,000 looms were superseded, and 30,000 persons were thereby thrown out of employ. Owing to the introduction of French goods, the fancy trade had been destroyed, and, what was worse, till the French fashion was known, no stock could be laid in. The whole trade now was in heavy goods. The complaints from Macclesfield, Manchester, and Coventry, were of a similar nature. At the latter place, the Poor-rates proved the distressed state of the trade. In 1826 the rates amounted to 11,000*l.*, in 1831 to 20,000*l.*, and in 1826 the casual relief to the poor amounted to 2,000*l.*, and in 1830 to 4,000*l.* He regretted to see the higher classes so backward in relieving that class who ministered to their luxuries, and, in place of purchasing from the regular trader, rushing to those places where there was an extensive sale of goods at a low rate.

Mr. Alderman *Wood* most heartily supported the prayer of the petition. He well knew the distresses which had caused it to be presented, and which had been borne with the greatest patience and resignation by the sufferers, who were a most industrious class of persons, and deserved every attention from the House.

Alderman *Thompson* said, he must also bear testimony to the miserable condition to which the operative silk weavers of Bethnal-green and Spitalfields were reduced. He would not, at the present time, enter into the causes which, in his opinion, had created, or at least increased, these evils, but he was apprehensive prohibitory enactments alone would not relieve them, as it was notorious that the importation of the raw material had increased 30*l.* per cent within the last seven years. Other trades were also in the same depressed condition, he, therefore, on the whole, rather wished that an inquiry should be instituted into the distressed condition of our manufacturing interests altogether, than confined to a particular branch. The distress was not confined to the silk trade, or glove trade, or ribbon trade, but extended to every branch of our manufacturing industry.

Mr. *Wynn Ellis* contended, that a great fallacy prevailed among the abettors of free trade principles, with respect to the amount of material consumed in a manufacture, being a test of the condition of the manufacturing workmen. In the silk trade, for example, the quantity of raw silk worked up in a given time by the weavers had more than doubled of late years, while his remuneration had fallen off more than one-half. This was owing to the nature of the manufacture being coarser, and consisting chiefly of plain articles. The more costly fabrics and fancy articles, those which required most skill in workmanship, with less of the raw material, were not now produced in any quantity; consequently the quantity and value of the workmanship had declined, though the consumption of the raw material had increased.

Mr. *Hume* had also a petition to present, which would show the distress then in Bethnal-green, inasmuch as it stated, that the funds from whence the Poor-rates were drawn were not sufficient for the purposes required, in fact, that they were inadequate to the maintenance of their paupers. This petition was drawn up by a Mr. Wakley, who had visited Bethnal-green at the request of some respectable parties. He states, that the Poor-house, which is intended to afford accommodation for only 500 inmates, is now crowded with 1,090; and that, in 334 beds, are laid 1,090 persons, in a state which, he submits to the Legislature, is calculated to generate the dreadful disease which now threatens us, and to spread it amongst a dense population. He adds, that the rents of the houses in the neighbourhood are but small, but that such is the unfortunate condition of those who inhabit them, that they are not able to pay the rates. The petitioner states, that every attention has been paid to these people by the Overseers, and every exertion has been used to afford relief, but that their humane efforts have been crippled from the want of sufficient funds. That the distress was very great there could be no doubt; but he agreed in opinion with those who said, that the pressure was not confined to the silk trade. He felt confident that much mischief had arisen in that trade in consequence of the book of prices, a system which ought to be abolished, as prejudicial to the trade. In no extensive branch of our manufactures had there been so much alteration as in the silk trade. In 1816 the distress was very great; and he could not imagine that prohibitory duties could avail the trade, inasmuch as they tended to create greater prices than the trade could afford to pay. At that time, too, the changes of pattern had increased in number beyond what could yield a profit in the trade. He believed that, after a most mature consideration of the subject, this House came to the determination of doing away with the book of prices, and of leaving the masters and workmen to arrange the rate of wages amongst themselves. He was sorry to say, that, while he admitted the existence of this distress, he saw little hope of a speedy amelioration of the pressure. Partial assistance might be given, but it would require great prudence and caution to legislate on a subject which so deeply affected a most important interest. Great as the evil was, he did not see how they could remedy it. He was fully prepared to say, that, if it could be shewn that, by the alteration in the regulations of our trade, that trade had decreased, and distress increased, the law ought to be revised. But seeing that the trade had increased, he could not believe that those alterations in the law had caused the distress. He believed that the distress was owing, in part, to the great change which had been effected in the whole trade within the last seven years. The petitioners stated their belief, that the best means of alleviating the pressure under which they suffered would be, to put the corn trade on the same footing as the silk trade, and other branches of our commerce, by placing it on a principle of free trade. He was quite satisfied that country gentlemen would soon find that they were not benefited by keeping up their high prices, and, therefore, it would be much better to open the trade in corn. At any rate, the state of distress in which these unfortunate people were placed was such as to demand the serious attention of his Majesty's Government, and he was sorry that not one of the Ministers was present, because this case, in his opinion, thould be made an exception to a general rule. Throw open the corn trade, and a benefit would thereby be conferred not only on the silk weavers, but on the country at large.

Petition to be printed.

LEAF AND CO.] Mr. *George Bankes* said, he expected, at the time he gave notice relative to the case of Messrs. Leaf and Co., that the discussion which might arise in consequence of the topics which it would be his duty to introduce to the notice of the House, would have been preceded by some discussion upon the distress of those persons with respect to whom the hon. member for Coventry had given the notice which stood for that night. It was not for him to say whether that hon. Member had acted with the best discretion in consenting to the postponement of his notice as he had done. It was sufficient for him to know that the parties most interested had informed him, upon his applying to them, that his Motion would not in the least interfere with their object, and that, on the contrary, they were anxious it should come on for debate. Under these circumstances, therefore, he had no hesitation in proceeding with the notice which he had entered. He should not find it necessary to occupy at any great length the time or attention of the House; for he trusted to be able, with great facility, to make out such a case as appeared to him, and, as he hoped would appear to the House, seriously to call upon his Majesty's Ministers for some explanation. He grounded this notice, and his introduction of the subject to which it related to the House, upon those distresses of which so much had been said. When he considered that Ministers, at the time the transaction to which he was about to call the attention of the House took place, were fully aware of the existence of this distress, and had received, from day to day, memorials with respect to it from the petitioners, it appeared to him extraordinary that Government should have thought itself justified in sanctioning any remission of the penalties which the law imposed for the protection of the trade of these distressed persons, in whose behalf he appealed to the House. The petitioners complained that the provisions of the law, even as fully enforced, were not sufficient to ensure them a fair remuneration for their labour, and if the Government, therefore, instead of enforcing the law, had sanctioned the violation of it, these parties must be seriously aggrieved, and the House ought to be well satisfied as to the justice of the grounds upon which Ministers proceeded. It might be right for him, in the first instance, as the circumstances might not be fresh in the memory of all who heard him, to state how it was, that the matter first came under the cognizance of the House. In August last, the hon. member for Preston asked a question of the right hon. the Vice-President of the Board of Trade, relative to certain seizures of silk which had been just then made; to which the right hon. Gentleman answered, that the penalties incurred would be levied to the utmost extent of the law. This was a few days subsequent to the period at which the transaction took place; and the House had reason to feel some degree of surprise when, early in December last, on the hon. Member's renewing his question, it was found that a compromise had taken place with the offending parties, and the full amount of the penalties had not been enforced. Upon that occasion the hon. and learned Attorney General appeared to take some credit to himself for having made a very good bargain for the public, in obtaining so large a sum as 20,000*l.* by way of penalty. He differed from the hon. and learned Gentleman, for he could not admit that it was a good bargain as respected the public, because the compromise was injurious to the fair trader. Whoever would look at the papers, and consider the information which was laid, on that occasion, before Government, by credible witnesses, who might have been produced at a trial, could not fail to see what must have been the result of taking the case into a court of justice. If, indeed, the witnesses were not to be believed, any compromise was an act of injustice to the parties implicated. But the truth was, that the case did not rest upon the testimony of the informers alone, for the facts stated in the returns amounted to a confession by the parties that the major portion of these goods were justly seized. It appeared that, on the night following the first seizure, which took place on the 5th of August, under circumstances that admitted no doubt of its justice, the parties composing this firm were employed in packing up goods, which they removed from their premises. This circumstance, till explained, amounted to a confession of the charge, and, therefore, the bargain made by the Government was not a good one, for, had the proceedings been regularly pursued, the full amount of penalties would have been recovered—penalties, be it remembered, not given to eke out the quarter's revenue, but for the protection of those distressed persons engaged in our home trade. There was no ground of compassion urged for the remission of these penalties. The parties were well able to bear the full amount of the penalties. But, putting aside the mere question of penalties, he entreated the House to consider what would have been the moral effect of bringing a respectable firm like this into a court of justice, and of exposing them, if they had been found guilty, to all the public odium they would so well have deserved? By entering into a compromise with them, that odium was avoided—a circumstance in itself which tended to diminish the moral effect of public opinion upon transactions such as this. If it was once admitted, that infamy and honour could be made a matter of barter and sale of pounds, shillings, and pence—of gaining 20,000*l.* for the revenue, when, perhaps, that was very convenient to the revenue—a doctrine would be sanctioned, which, he trusted, that House would never tolerate. But if that were not the meaning of this good bargain, what was meant by it? It was no answer to the charge, to say, that such compromises had taken place before. In small cases, the compromise of an offence against the revenue might be laudable; for it might be a course of compassion not to enforce the full penalties, to the total ruin of a poor man. But, in a case of magnitude like this, where the parties were all wealthy, and where the attention of the right hon. the Vice-President of the Board of Trade had been called to the subject before the compromise could have been proposed—before the matter had been taken into any court of law—in fact, within ten days of the transaction, no compromise ought to have taken place, even supposing that the party prosecuted saved only 5*l.*, instead of 13,000*l.*, by it. He must say, if the papers laid upon the Table of the House in relation to this subject were full and accurate, that Ministers had abused their discretion. But, after all that had been affirmed upon this subject, they had had no information as to what proceedings were actually commenced, or whether any were actually commenced—how they were stopped—and whether the proposition for a composition came from the Government, or from the parties themselves. He submitted, with confidence, to the House, that the facts had not yet been brought completely before them; and that the additional information which it was the object of his Motion to obtain was wanting. The House was, of course, aware, that a discretionary power was vested in the Government with respect to transactions of this nature. There were three different modes of effecting a compromise. It might be effected by a minute of the Lords of the Treasury, by an order of the Board of Customs, or even, after the matter had been carried into court, by the Attorney General's entering a *nolle prosequi.* He did not know which of these three courses had been taken in the present case, and, in his view of the subject, that was of no consequence whatever. Government could not rely upon former precedents. They could not say—"We have followed the ordinary course on such occasions, by accepting four-fifths of the penalty we should have recovered by going into a court of law." He contended that the condition of the starving English weavers made the following such a course, on the present occasion, an improper and unjust exercise of this discretion, especially after the pledge which was given by the right hon. the Vice-President of the Board of Trade. If the money thus recovered were to be applied to the maintenance of these starving weavers, he might agree with the Attorney General that the learned Gentleman had made a good bargain, and could easily imagine that, with those kindly feelings which are known to govern his heart, he might say, "let us get this 20,000*l.* to a certainty, for the benefit of these poor people, without going into a court of law for the chance of 10,000*l.* more." If such had been the case, he might admit, that the compromise would have been beneficial to the weavers; but, he could not, even for their advantage, sanction a course which had the tendency to weaken the little protection the trade now derived from the law. When the present commercial system was introduced, it was said and written—by way of offering a great inducement to the removal of the then existing prohibitions,—that it would check, if not effectually prevent, smuggling. It was urged, that honourable and respectable persons, if an article were prohibited, could only obtain it by evading the law, but that they would be ashamed to do this, if a legitimate channel were opened by which they could obtain it. This was an argument addressed to every man's feelings; and if it did not of itself make converts to the new system, it no doubt went a great way to produce consent to a trial of the experiment. But what became of all that, if a respectable commercial house like the one in question was allowed to compromise? Government should have said at once, "whether you be guilty or not we will make no compromise with you; we consider the evasion of these duties an illegal act, and we will not give it our sanction by a compromise, although the revenue might benefit by such a compromise." Supposing the contents of these papers could be relied upon, he had no doubt that a professional man, of abilities infinitely less than those of the Attorney General, would have insured a verdict in any court into which the case might have been carried. He knew Messrs. Leaf and Co. could state, and he believed that they did state, that they were not guilty, but "had been entrapped into this compromise." But it further appeared in the statement made by Messrs. Leaf and Co., that, after the Attorney General had made what he considered so good a bargain, the whole of the goods seized were, at the request of the respectable house, actually returned to them, and these goods would now be thrown upon the market, without having paid the duty, greatly to the injury of the petitioners. This was an unintelligible fact, and he could not imagine what induced the right hon. the Vice-President of the Board of Trade to sanction that proceeding. If any doubt came across his mind, and those of his right hon. colleagues, as to the guilt of these parties, they should have directed a revision of the sentence of condemnation. If such a doubt existed, it was a complete answer to his motion; and the sooner the right hon. Gentleman signified the existence of such doubt to the House, the sooner this interruption of its other business would cease; but nothing, as far as he could understand, had yet been done in respect to any such revision of the case. They were told, indeed, that Messrs. Leaf and Co. asked for it; but not that it was granted. A great deal of discussion had taken place to-night with respect to the appointment of a Committee to consider the distress of the silk manufacturers generally. That was a subject on which he was not at present competent to decide, but he was convinced that nothing but the most rigid enforcement of the laws for securing the trade that protection which the laws promised it, could save the manufacturers from immediate destruction. He should abstain from anticipating that discussion which, he understood, was to take place on the subject of the distress of the silk trade; and, when it did come on, he should be ready to receive all the information that might be given upon that most important subject. He was perfectly certain, however, that the law, as at present administered, did not give adequate protection to our manufacturers. Whether it would do so, if strictly enforced, it was impossible for him to determine. Whoever looked at the public journals must be struck with the fact that smuggling was rapidly on the increase. They heard of continual accounts of seizures; perhaps he might be told, that all this was only a proof of increased vigilance. He knew not whether it were so; but he knew that the manufacturers thought the amount seized was nothing, compared with that which obtained illegal admission into the country. Indeed, the fact that any goods purchased on the continent might have their delivery insured to persons in this very town, for a premium, varying from eight to fifteen per cent, sufficiently established the fact, that the seizures were comparatively few. The right hon. the Vice-President of the Board of Trade smiled at this statement; but it was no subject of mirth to the starving silk-manufacturers. He did not mean to impute to the right hon. Gentleman, that he did not feel for their distress; but he thought that even their prejudices should, under all circumstances, be considered; but, instead of that, his Majesty's Government had outraged both their reason and their prejudices in the compromise they had made. From the returns upon the Table, it appeared that the contraband transactions of Messrs. Leaf and Co. commenced about the 12th of May last, and were regularly carried on every Thursday night, on which the moon did not happen to give too much light to render it dangerous to continue them, till the time of seizure. It was curious, too, that they were carried on through vessels anchored off the Custom House; and there could not be a doubt, from the statements of the witnesses, that these illegal dealings, on the nights upon which they were so carried on, were equal in extent to the lawful dealings of the day. This presumption was confirmed by the figures before the House—figures which ought to prevent the Government having any doubt on the subject. He held in his hand a statement of figures material in that point of view. They consisted of returns of duty paid by that house between the months of May and November. In the month of May the amount of duty paid was 1,711*l.*; in June, it was 887*l.*; in July it had sunk down to 126*l.* The discovery was made in August, and in August the duty suddenly swelled up to 1,390*l.* A striking difference was also observable between the amount of the general duties received by Government on foreign manufactured silk, in the quarter ending on the 5th of July, 1831, and the quarter ending on the 10th of October, and was, in his opinion, a strong corroboration of the statement of the silk weavers, that a system of smuggling had been going on to a very considerable extent. In the quarter commencing on the 5th of April, and ending on the 5th of July, the general duties received by Government amounted to 39,648*l.*; and in the next quarter, in the early part of which the discovery of Messrs. Leaf and Co.'s transactions was made, the amount of duties increased to 50,932*l.*; being a difference of more than 10,000*l.* The hon. Gentleman concluded by moving for the following returns, in addition to the papers already on the Table:—"A copy of the information or process served upon Leaf and Co., and the proceedings thereon; a copy of the minute or order of the Treasury Board or Customs, directing the mode in which the goods seized were to be disposed of; a copy of the minute or orders of the Treasury Board or Customs, by virtue whereof the penalties were remitted; a copy of any correspondence which took place between the Treasury Board, Customs, or the Board of Trade, with respect to the seizure of the goods."

Ordered.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—FIFTEENTH DAY.] Lord Althorp moved the Order of the Day for the House to resolve itself into a Committee on the Reform of Parliament (England) Bill.

On the Motion that the Speaker do leave the Chair,

Mr. *Croker* said, that he had obtained a return which enabled him to answer one point which arose in the debate of last night. That point was the omission of the return of the Game Certificates, and he had ascertained that such certificates were included in the return made for Appleby. He thought he was warranted in saying, that, in the comparison of the products, the lists were avowedly erroneous, that the deficiency of this class of taxes would make an alteration with regard to the position of Chippenham, Amersham, Petersfield, and other places touching the line of enfranchisement, and that sufficient information had not been furnished to enable any person to frame this list with accuracy. The deficiencies now discovered would occasion a change of places as regarded several boroughs; therefore the House looked on the cases as decided. It was absolutely necessary, therefore, that the lists should be reconstructed upon the more correct data that could now be furnished. He was quite sure that neither the House nor the public could desire them to proceed with a list which was obviously erroneous. He begged, however, to be fully understood that he did not intend to blame Ministers or Lieutenant Drummond, for it was extremely difficult to obtain correct information. But when the fate of one borough was dependent upon that of another, it was very important they should proceed with due caution in a measure of disfranchisement. A new calculation upon the more correct data at present before the House would give a new denominator to the whole of the boroughs, and the result, as regarded several of them would be different from what it was in the present list. He thought he was not asking too much, therefore, when he requested the noble Lords not to proceed until the report was brought up, when, if it appeared, on a more accurate calculation, that the relative position of the boroughs immediately bordering upon the boundary was changed, a change could also be made in the schedules. Of course the calculation was only of importance as it affected those boroughs which were fifty-six or fifty-seven on the one head and eighty-six and eighty-seven on the other, or those immediately above or below those numbers. He was not prepared to say, that the new calculation would have the effect of placing any borough, now within the boundary line of disfranchisement, beyond that line; but he was sure the noble Lord could not say it might not have that effect. It might change the position of Wallingford and Totness on one hand, and Petersfield and Amersham on the other. But his great object was to prove, that, in a measure of this nature, their proceedings ought to be characterized by the nicest accuracy that the subject would admit of. He was sure that he was taking a candid course in requesting the noble Lord to have new calculations made, according to the new information that had been furnished; and if it should appear, on obtaining a new denominator, that a change would be made in the relative position of any of the boroughs, he would have it corrected in the schedule on bringing up the report.

Lord *John Russell* was ready to admit there was some difference as to the mode of taking the taxes in some of the boroughs in Lieutenant Drummond's list, but he was, by no means, prepared to admit, that a new calculation made, avoiding these discrepancies, would alter the position of any borough in either of the schedules. He certainly was not prepared to postpone the consideration of the cases of the boroughs, until a new calculation had been made. However closely the matter might be examined—whatever new information was brought—although, like the present, of a trifling nature, differences would appear; yet he was sure that new information would make no alteration in the general result. He was sure that the House were not aware of how much attention and pains had been bestowed upon the most minute of all these points, nor of the difficulty of arriving at a satisfactory conclusion upon all of them. He thought it would have been best for the House to have taken the return of the taxes as it appeared on the list, and not have attempted the various amendments, which had all turned out equally open to objection. There were, he admitted, trifling discrepancies in the returns, and it was quite impossible to arrive at the minute accuracy of information which the right hon. Gentleman seemed to desire. This he would undertake to do—he would reconsider the case of each borough, and if it should appear that any one had been improperly included in the schedule, justice should be done to it on the bringing up of the report.

Mr. *Croker* did not object to irregularities arising out of the general application of the same principle. He only complained that some boroughs were treated on a different principle from others. He had not objected to these small points of difference, because he knew how difficult it was, to get at the truth in such cases. What he said was, that if the twenty-nine boroughs which he had before him were dealt with upon just principles, Helston would probably be taken out of schedule B. The result of all these matters was that they had chosen a blind guide in their search after a new Constitution.

The House went into Committee.

The Chairman put the question, that "Appleby, in Westmoreland, stand part of schedule A."

Lord *Maitland* said, he had already presented a petition from the borough of Appleby complaining of the incorrect report made by the Commissioners sent to that place. Upon this occasion, he again felt bound to state the nature of the objections that had been urged by the petitioners, who only asked for an equal measure of justice to be dealt out to them in common with others. They complained that the calculations had been made on the erroneous returns furnished by the commissioners, and that the position which the borough of Appleby occupied on the list of disfranchisement was the consequence of that error. It appeared that, according to the return of the Commissioners, there were only 210 houses in the borough, but, according to a document which he held in his hand, of the date of 1741, and which marked the boundary of the borough, the return ought to have been 305 houses, for that boundary included 305 houses. Of course, the error with regard to the Houses, as it arose from curtailing the borough, also extended to the taxes. It appeared that the returning officer of Appleby had made two returns to the House. On finding that he had not correctly stated the boundary of the borough in his first report, he corrected the error by means of a second, which was in exact conformity with the jurisdiction of the Mayor and Corporation, as well as the document to which he had just referred, which contained the perambulation of the Mayor, Aldermen, and Corporation of that time. He had carefully looked over the parliamentary paper marked "No. 4," relative to this Bill, without being able to find any borough that had been treated in a similar manner to Appleby. It appeared in this case (and he hoped it was a solitary one) that the commissioner had left out an important part of the town, and the calculation had, in consequence, been made without any reference to this error. The suburbs on the different sides of Appleby were known by the name of Gates; but one portion of the town, named Bondgate, had not been taken into the calculation at all. He should, therefore, move, that the borough of Appleby should be taken out of schedule A, and be inserted in schedule B.

Lord *John Russell* observed, that the noble Lord had asserted, that a different rule had been applied to this borough from that which was made applicable to others; but it appeared that the right of voting for Appleby was confined to the holders of burgage tenures. The Commissioner stated, that all the best authorities of the place considered the burgage tenure houses to constitute the whole borough, and all these houses had been included in the return. The case of Appleby, therefore, was in perfect conformity with the general rule. In Appleby, there were two boundary lines—one which included the town, and places not properly forming a part of it, although it was under the jurisdiction of the Mayor; and the other, which included all the burgage tenure houses that were ever known in Appleby. The latter was considered by the inhabitants themselves as constituting the whole borough. The same rule had been applied in this case as in others, and the extent of the suffrage had been taken as the extent of the borough. This was the case with Great Grimsby; and as the voters in Appleby must be holders of the burgage tenure houses, it was thought right to confine the limits of the borough to them: there was not the least evidence to support the assumption that Bondgate was ever considered as a part of the borough; certainly, there were no burgage tenures in that township. Again, there were some boundary-stones which marked the limits of the town, which did not include Bondgate. In addition to this, when the Mayor, who was returning officer, was called upon to furnish a return of the boundary of the borough, he did not go beyond these stones, but made a return which was quite in conformity with that of the Commissioner, which did not include the part alluded to by the noble Lord. The returning officer subsequently sent in another report of a very different nature, including the township called Bondgate, and said, that this latter was to be considered as the correct return, as the former was made in haste. The first boundary, included all the houses giving the elective franchise, and was equivalent to the boundary-stones of the borough, and over which the Mayor and Aldermen had sole jurisdiction as Magistrates. The second boundary, including the township, was never considered as belonging to the borough, although certainly the mayor had concurrent jurisdiction in it, as far as regarded the granting of ale licenses. The election of Members of Parliament had always been confined to those residing within the first boundary, and the inhabitants of Bondgate had as much control over elections as if they resided at the distance of 100 miles from the place. He thought, therefore, it was clear, that the Commissioner founded his report on a correct view of the case, and would not have been authorized in going beyond the line. It had been said, that in some cases the boundary-line had been corrected, and that the correction had been admitted: the only case in point, and about which there could be the slightest doubt, related to the borough of Midhurst, and certainly that borough went beyond the line of disfranchisement. The difference, however, between the two cases was this: in Appleby, the Mayor exercised some jurisdiction in the township; but, in Midhurst, there was no mode of determining the boundary but by means of those who had exercised the elective franchise. He did not think that anything had been stated which ought to induce the House to depart from the general rule that had been laid down. Unless they were disposed to take a different rule for each place, Appleby ought to remain in the schedule. As he did not feel himself competent to give an opinion when the point was started, he had referred it to an hon. and learned friend, who had long had considerable practice before the Election Committees of this House, and he was clearly of opinion, that it would be very unsafe to adopt the new report of the Mayor, as there was every reason to suppose that the old return gave a correct description of the boundary of the place.

Mr. *Pollock* did not doubt but that the noble Lord, in this, as well as in the case of every other borough, was desirous of proceeding with the strictest justice; but still, it would have been better if the noble Lord had taken more care to ascertain the facts correctly, before he made his decision. If one place had a greater claim to a just and careful consideration, before it should be condemned to disfranchisement, than another, it was a county town, such as Appleby. Better reasons ought to have been given before the noble Lord proceeded to exclude Bondgate from the estimates respecting the town. The second boundary was, in reality, the boundary of the town; and the circumstance of the jurisdiction of the Mayor was a strong presumption on this point. His second return ought to have been taken, and not the arbitrary line which the noble Lord had chosen, as including the burgage tenures. The noble Lord referred to the Report of the Commissioner; but what did that say? "I have visited Appleby, and the result of my examination is, that there is no certain boundary as regards the elective franchise." Even according to this report, the opinion of those most likely to be correct was not obtained, and no pains were taken to refer to documentary evidence on the subject. The noble Lord said, that it was thought expedient to confine the franchise to that part of the town in which the burgage tenures were, and how did the Commissioner find to what extent this franchise prevailed? Why, he drew an arbitrary line from the boundary stones of the town. The noble Lord seemed to think that it was desirable to confine the elective franchise, in the old towns, to the ancient boundaries. If this was to be done, how was it intended to apply this rule to the old Corporations, where the elective franchise was always in the freemen? He conceived that the right ought to be determined by the jurisdiction of the Magistrates; but, according to the noble Lord's rule, an arbitrary line must be taken. The arbitrary line that had been drawn extended from boundary stone to boundary stone, in a direct line, and crossed the river at a place where there was neither bridge nor ford. If hon. Gentlemen would look to the map of the place, they would perceive what he meant, as the yellow line proceeded in the direction he had pointed out. On these grounds, he hoped the Committee would pause before they came to a decision so contrary to all principle, as that which was involved in affirming the proposition now before the House. According to the course adopted by the Commissioner, they were to pass the water at a place where there was neither bridge nor ford, at a short distance from the castle, and thus cut off that portion of the town nearest the castle. If the Commissioner had determined that the boundary stones were the limits of the borough, he, at least, ought to have gone up the river, until he met with a bridge or ford, and then have crossed it, and drawn his line to the second boundary stone. If this had been done, they would have been much nearer the true boundary stone than they now were according to the arbitrary line that had been drawn. But he begged to ask those acquainted with the books of authority on the subject of boundaries, whether, although Appleby was now within the line, it did not formerly extend, in the way that has been pointed out in the plan of the peramblations. He wished to call the attention of the House to a few of the names of this place. Here was Scattergate and Newgate, with the town that was at the entrance, and Bondgate was in the immediate vicinity, and which, they contended, therefore, ought to have been placed within the town. Any one who was acquainted with the old English towns, knew that the gates were always at the boundary: thus, in London, although now the parts known by the name of Gates were in the middle of the metropolis, yet they were formerly in the boundary wall, and even now served to shew the limit of the City. Thus, although Ludgate was in the middle of the street of that name, yet it was the boundary of the City in the direction in which it lay. Again, Holborn, where there were neither bars nor gate, was formerly the boundary, so, at Newgate, Cripplegate, Bishopsgate, &c.; and the power of the Corporation did not extend beyond them. This was precisely the case with Appleby; for the town was formerly a fortified place, and the gates served to shew the original extent of it. The presumption was extremely strong, therefore, independent of all other circumstances, that Bondgate was a part of the borough. It was nearer to, and more under the command of, the castle, than the other parts of the town, and every body knew that it was anciently the custom to build the towns as much under the command of the fortress as possible, more especially in places situated as this was. Again, Dr. Burn, in his History of Westmorland, expressly referred to Bondgate, as having formerly been considered a part of the borough. He would also refer to the document alluded to by the noble Lord, of the date of 1741, and, consequently, prepared long before any one could have the least idea of a measure like the present. That document was the plan of the perambulation of the borough and town, as prepared by John Robinson, Mayor, and the Aldermen. Was this document to be set aside, and the borough to be treated as if no authorities or documents existed to mark out its ancient limits? In all the old authorities, too, the Church of Bondgate was alluded to as the Church of St. Michael of Appleby. From that circumstance alone, it was clear that Bondgate was only one of the gates of Appleby, and, therefore, it ought to be included in the borough. If that were done, the borough would be removed from schedule A to schedule B. In such circumstances it was the duty of the Committee to pause before disfranchising a place, in which such a strong case had been made out, and which could not be set aside without a sacrifice of the principles of justice. The noble Lord said, that if Appleby was retained in schedule A, they would be only acting on the same principle towards it, that had been adopted towards other places; and that, if this place was excluded, they would act unjustly unless they excluded other places also. He denied, however, that there was any case at all parallel to the present, and, indeed, the noble Lord had not once alluded to a single case which he supposed to be parallel to it. The Mayor and Corporation stated, that they were prepared to shew that their jurisdiction extended far beyond the space assigned them in the Bill. He, therefore, trusted that, at least, time would be afforded them to prove their case. He hoped the noble Lord, acting in the spirit of fairness and justice which he was at all times accustomed to follow, would deal with this borough according to the principle he had laid down, and not make a rule for this contrary to that which he had seen it expedient to adopt with regard to other places.

Lord *John Russell* felt himself called upon, in justice to the Commissioner, not to let one observation of the hon. and learned Member, who had just sat down, pass without a reply. The hon and learned Member stated, that the Commissioner's Report did not take in the whole town. Now, the principle proceeded on was, to take in the whole of the town, whatever might be the case as to the borough; and, in this instance, no part of what could be fairly called the town of Appleby had been excluded. Ministers adhered, in this case, to the arrangement in the List, upon no other ground but because they conceived it to be correct; for whether Appleby or Petersfield stood No. 56 in the List was to them a matter of perfect indifference.

Mr. *William Brougham* said, that, even if the extent of the boundaries was taken to be, as described by the noble Lord (Lord Maitland), and the hon. and learned Gentleman, yet it would not warrant the House in removing the borough of Appleby from schedule A. In confirmation of which, he begged to call the attention of the Committee to the title of the paper which had been referred to. It was called the "Boundary of the Barony and Corporation of Appleby," and not that of the "borough." The actual extent of the franchise was all that could properly be taken into the Commissioners' Report, and that was confined to the burgage tenure houses. There was a somewhat parallel case to this in the borough he had the honour to represent (Southwark). A portion of a parish was in that borough, while the remainder, and much the largest part of it, was not, so far as regarded the elective franchise, although it was under the jurisdiction of the Magistrates. The present Bill, indeed, would bring the whole parish within the elective limits of the borough. Again, in Hertford there was the old borough, and there was a circle drawn round this, which was called the new borough, but the elective franchise was entirely confined to the inhabitants of the old borough, although the whole town was completely under the same Magistrates. In the present case of Appleby, there was not the shadow of proof that the perambulation was only co-extensive with the right of voting. The boundary stones were the true limits of the borough, and the Commissioners had acted perfectly right in taking them as such, agreeable to the other cases he had mentioned.

Mr. *Croker* would answer the whole of the speech of the hon. and learned Gentleman, by referring to the document of which he had been speaking. The hon. and learned Gentleman had undertaken to show that the document referred to the boundaries of the *Barony* and Corporation, and not of the *borough*. Now, the document itself was headed with these words, "*Borough* of Appleby." It then went on to state the perambulation of the boundary, as it was made by John Robinson, Mayor, and the other Aldermen and Corporation of the said *borough*, in 1741—and, at the back of this instrument, was the following notice, of the date of 1747. "It having been made apparent at the Court Leet, held at Appleby, on the 20th of October, 1747, that in the perambulation of the said *borough*, and in the plan of the same, a certain close called the Strand, belonging to W. Ward, Esq., was included in the *borough*, which, by right, ought not to have been: it is, therefore, ordered, by the said Mayor, Aldermen, and Corporation, that the said close so included, is not within the limts of the *borough*, and that the said inclosure is declared null and void, and is null and void accordingly." Surely, after that document, there could be no doubt as to the value which ought to be attached to this point of the arguments of the hon. and learned Gentleman. Another point advanced by the hon. and learned Gentleman was, that the boundaries of the borough should be strictly limited to a space which should include the burgage tenures which gave the present right of voting; and in that view he alleged that everything which could fairly be considered as a part of the borough or town was included in the boundaries adopted. The hon. and learned Member, however, was greatly mistaken, as to both the fact and the principle. It was not the fact, that the Commissioners' lines included all that could be considered as the town or borough; nor was it the principle on which the Commissioners in other cases had proceeded to limit the boundaries, so as merely to include the present franchise; and in proof that the hon. Gentleman was wrong on both points, he need only compare the case of Midhurst, with that of Appleby. In the case of Midhurst a large rural district was included—whereas, in the case of Appleby, the oldest part of the town was excluded. At Midhurst the Commissioners included the whole parish, although the spot conferring the franchise was very small, and on the extreme verge of the parish, being, as the noble Lord opposite had stated, at a period when he wished to disfranchise Midhurst, three stones in Mr. Poyntz's park-wall; while at Appleby, on the contrary, arbitrary straight lines were drawn, to the exclusion of a portion of the actual town. The Committee must well recollect the speech of the hon. proprietor of Midhurst, (Mr. John Smith) when the noble Lord announced the particulars of the first Bill. On that occasion, that hon. Member said, the bare announcement of such a measure had taken away his breath; but the hon. proprietor was a valuable ally, and, therefore, it had, perhaps, been found desirable to re-animate the hon. Member, and so Midhurst was saved. All he asked was this, that Appleby should be treated as Midhurst was, and, indeed, as every other place in the list, similarly circumstanced, was treated. With the exception of Richmond, there was not a single instance in which the boundary-line whatever it might be which was claimed by the local authorities was not admitted; and, in the case of Richmond, there was, on the part of the Mayor, who claimed the boundary, a degree of error or at least confusion which justified a departure from his claim. But even in the case of Richmond, the Commissioner was content to make the river the boundary upon one side, and an irregular line, comprehending all that could be called the town as the boundary for the rest; but, in the case of Appleby, the Commissioner does not condescend to adapt his boundary line either to the natural sweep of the river or the accidental shape of the town. The town of Appleby was partly built on a peninsula formed by the river Eden, and considerably wider at one end than at the other, but instead of including the whole of the peninsula, and adopting the natural boundary of the river as had been done in every other case in England, the boundary lines of the Commissioner had actually crossed the river four times, in order to preserve a straight-line boundary which never existed except on the plan of the Commissioner.

Then in order to obtain four points from which to draw his four straight lines, the Commissioner chooses to say that there are four boundary-stones in Appleby, although no one living had ever seen more than one, and at present, at all events, there was only one in existence; and no one, except the Commissioner, ever called that one a *boundary* stone; it was called the *borough stone;* but was no more a boundary than London stone, which is in the heart of the city, is the limit of London; but even, if this stone were the boundary on *one* point where does he find his other three points, or why does he choose three? Why should Appleby alone, of all the towns on the face of the earth, be an exact quadrilateral figure? The plain truth was, that the Commissioner had made up his mind both as to the shape and extent of Appleby, and without any right or authority whatsoever, save his own good will and pleasure, he drew straight lines from the site of one imaginary stone to the other, and declared the space enclosed to form the borough.

But there was another circumstance which showed very forcibly the partiality by which Bondgate had been excluded from the town, of which it was so clearly a part. There were four gates in the immediate vicinity of Appleby. Scattergate on the south; Doomgate on the west; Clapersgate on the north; and Bondgate on the east. Three of those gates were admitted to be within the borough, but the fourth gate—Bondgate—was excluded. Would any Commissioner persuade us that three gates of a town belonged to it, and that the fourth did not? But, in truth, of all those gates, Bondgate happened to be that which (the most certainly and essentially) was and is, a part of Appleby. In the first place it was the gate nearest to the only bridge by which the town could be approached. Then we find in *Burn's History of Westmoreland,* Bondgate described as the oldest part of the town, it being called Old Appleby, and being the spot in which the bondmen and villains of the Lord lived under the immediate protection of the burgh or castle. In addition to that statement there was the fact that Bondgate was not above one-half of the distance from the castle that any of the other gates were. It was, therefore, impossible to contend with anything like reason or justice, that Bondgate ought to be considered as without the boundaries of the borough of Appleby. Every species of evidence—the natural position of the localities, the ancient names, the perambulations, the documentary evidence, the oral testimonies—all concurred in placing Bondgate within the limits of the borough. But supposing he left that high ground for a moment—supposing he were to admit, merely for the sake of argument, that Bondgate was not within, but only contiguous to, the borough—what answer could be given to him if he asked why was not Bondgate added to the old town of Appleby? Such a course had been pursued at Tavistock, and also at Ripon, and, indeed, in every other similar case. Appleby was the case of exception to every rule, and to every precedent. The case at Ripon afforded a curious coincidence of name, and a still more curious difference in the decision of the Commissioners. At Ripon there was a suburb called Bondgate as well as at Appleby; but the Bondgate of Ripon was added to the borough, while the Bondgate of Appleby was excluded.

It had been asserted by him and his hon. friends, in the course of the discussion on this borough in the last Session of Parliament, that the borough of Appleby extended into the two parishes of St. Lawrence and St. Michael-Bondgate. Hon. Gentlemen on the other side of the House had taken upon themselves to deny this. Indeed, he well recollected that one hon. and learned Gentleman (Mr. James Brougham) stated—and his statement made a great impression on the Committee—that the borough of Appleby did not extend at all into the parish of St. Michael—of St. Michael-Bondgate; and, as a proof of his assertion, added, that the county gaol stood in that parish. He did not mean to find fault with that hon. and learned Gentleman for hazarding that assertion—he, no doubt, made it upon information which he believed to be true, at the same time that he certainly led the House to believe, that he spoke from local and personal knowledge of the fact. Now, it was admitted, that the hon. Gentleman's statement was erroneous. The Commissioner himself was now forced to state, in his return, that the borough of Appleby was in the parish of St. Michael-Bondgate; so that the point on which the claims of Appleby were rejected in the last Session, was now confessed to be in its favour; and that the former decision was wrong. The new and contradictory ground now taken was equally untenable—equally erroneous. The point which the Committee was now called upon to argue was, whether Appleby should be restricted to the fanciful limits of the Commissioner, such as had not been allowed in any other borough in England, or whether they should not rather, as had been done in every other case, follow the ancient boundary of the borough, respecting which there could be no doubt. The reasons in favour of the latter course were so numerous, that it would be tedious, and he hoped superfluous, to state them all, and so forcible, that any one of them would be sufficient to decide the question. He would, therefore, be content to narrow the matter to one point, and to put the whole issue on one question;—if any Gentleman would give him a satisfactory reason for distinguishing between Midhurst and Appleby, by admitting an alleged and uncertain boundary in the former case, and by rejecting a proved and perambulated boundary in the latter case, he would waive all the rest of his facts and arguments, and at once give up the cause of Appleby.

The *Attorney General* said, that the Committee was not now on the case of Midhurst, nor, was he called upon to defend it further than was necessary to refute the insinuations which had been thrown on the motives of Government by Gentlemen on the other side of the House. This was the first time that these insinuations had been cast during the present Session, and he had hitherto hoped, that hon. Gentlemen had repented of such an unworthy course; for in the former Session they had disclaimed every one of these insinuations, as regularly as the injustice of them had been complained of. With cheers, indeed, they were always received when made, as if his two noble friends had been convicted of sordid partiality; but, though the cheers could not be retracted, the accusation was uniformly withdrawn, as soon as it was questioned, and recoiled on those who had preferred it. No man could suppose that Midhurst was now revived, for the purpose humorously imagined of restoring breath to the body of the hon. proprietor, or that it was transferred from one schedule to another, for any other reason than because it was found to fall within the rule which made the distinction between schedules A and B. If this were conceded to him as a fact, the imputations fell to the ground, and would not have been made use of by so able and ingenious a disputant as the right hon. Gentleman opposite, but that he felt that Appleby did not fall properly within the same rule. He was not now defending Midhurst. [*Laughter.*] That was one mode of argument that was resorted to at the other side; and the different principle adopted by Government, and applied by Lieutenant Drummond, was to be treated with derision, till it encountered the complete refutation so confidently threatened by the right hon. Gentleman. He contended that, neither within the former rule nor the present, could the borough of Appleby be taken out of schedule A. But, it was said, "Why not add Bondgate to make it of the requisite strength?" "Bondgate was part of the old borough, and we will prove, by a variety of circumstances, that it was so." It appeared to him that the reasonings employed to make out this point had no bearing upon it; and if his hon. and learned friend, who had argued so effectively last night upon a mathematical question, had occasion to address a Westmoreland Jury upon this point, he really thought that he would have no chance of a verdict. It was said, that the line which was drawn was the most capricious and inconvenient boundary that could possibly be adopted. He answered, as had already been stated, that it was not meant as a boundary, in any sense, in which convenience or inconvenience could belong to a boundary. The four lines which the Commissioners had taken included within them the whole of the Corporation rights and burgage tenures. It was true, that if the public were obliged to walk through the river, or to swim across it at the point where the line was drawn, there might be some weight in the argument. The contiguity of the borough and the parish came to nothing, when they remembered that a high hill intervening prevented the castle from being even seen by a great portion of the contiguous parish. Importance had been attached to the name Bondgate, as if the word implied that a gate must actually have existed, and consequently that the parish must have been an immediate portion of the town. But hon. Gentlemen must be aware, that, in the North of England, "gate" meant not a door, but a way or road, and, therefore, that it was not necessary, that it should be an immediate part of the town. Again, the Corporation claims for tolls and other rights did not extend beyond the limits which had been taken. The addition of all Bondgate would have drawn an exorbitant boundary, and the addition of that part only which lay within the actual town would be insufficient to take this borough out of schedule B. Ingenuity might give rise to endless debates on the probabilities of boundary lines, as arising from a vast variety of disputed facts, and ambiguous words. No Session could be long enough for these antiquarian researches and controversial speculations. The Commissioners had clear grounds for the decision they had come to, and might defend it on its own merits. But if each case, as it arose, were to be perplexed by starting another case, in which other Commissioners had taken a course which appeared inconsistent; and if, when that was explained, a third was to be brought into contact with the two first, this Committee, by encouraging such hearings and rehearings, must postpone the passing of the Bill for ever.

Mr. *Croker* in reply to the hon. and learned Gentleman's insinuation relating to Midhurst being brought into the discussion from unworthy motives, begged leave to refer him to the noble Lords opposite, and he had no doubt they would inform him that he had previously given them notice that he intended to pursue this line of argument of comparing the cases of the two boroughs with each other.

Sir *Charles Wetherell* was not surprised that his hon. and learned friend protested against the introduction of Midhurst into this argument, for he was quite sure that when the vision of Midhurst floated across the dreams of his hon. and learned friend it must give him some uneasy sensations. Last Session everybody seemed to be of opinion that Midhurst ought to be condemned, as something utterly vile and worthless; and the noble Lord himself had pronounced a formal yell over it as the most rotten of all boroughs, and yet now, to the astonishment of everybody, Midhurst, after having been loaded with every term of reprobation, was, by the present Bill, reanimated—galvanised, as it were. He was, therefore, quite sure that his hon. and learned friend, who always rose in that House with the most Roman and Plato-like sentiments, must have felt somewhat fidgetty at the recollection that some sort of apology was due for dragging miserable Midhurst out of the mire in which it was placed. So, however, the fact was; and that led him to inquire, why was favour to be shown to the borough of Midhurst, and enmity to the borough of Appleby? An hon. and learned friend of his on the other side of the House appeared to him to have gone down to Appleby by the caravan. Now, he could not help saying, that, after the speech which his hon. and learned friend had delivered that night, he thought that it would have been much better had his hon. and learned friend kept himself to Southwark. His hon. and learned friend had told the House, that there was in Southwark a liberty which was well-known by the name of the Clink, into which the jurisdiction of the Magistrates extended, "and yet," said he, "this liberty of the Clink does not belong to Southwark, though it will be added to it by the Reform Bill, and will be gifted with the elective franchise for that borough." Why, this Clink liberty was the Bondgate of Appleby, and if his hon. and learned friend had not quoted it in confirmation of the case which his hon. and learned friend wished to make out, he should certainly have quoted the Clink liberty as destructive of that case. But his hon. and learned friend, the Attorney General, had said, that he would not defend Midhurst upon the present occasion. No doubt his hon. and learned friend found it better, on the whole, to make the discovery that Midhurst had nothing to do with the present case. Now, in his opinion, if two cases ever resembled each other, it was those of Appleby and Midhurst [*hear*]. The right hon. Secretary thought proper to cheer that remark.

Mr. *Stanley:* If Midhurst is so worthless, and Appleby resembles it, why are we to save Appleby?

Sir *Charles Wetherell:* The right hon. Secretary thought proper to interlard his argument with side observations; it would give him much more pleasure to see the right hon. Secretary get up and when he had done, to favour the Committee with an argument of his own, rather than a running commentary on his; but, at all events, even on the right hon. Gentleman's own remark, it was clear that if Appleby and Midhurst held similar positions, and Midhurst was to be saved, so Appleby also ought to be saved. He, therefore, meant to contend, notwithstanding the interlocutory sarcasm of the right hon. Secretary, that, as the borough districts of Midhurst had been taken into the account, so also the borough districts of Appleby ought to have weight in the calculation. His hon. and learned friend had, with great antiquarian knowledge, told them, that they did not seem to recollect that a gate did not formerly mean an entry so much as a way or road; and, certainly he must say, that his hon. and learned friend, who was a Seldon in law and a Spelman in antiquity, was quite right in this instruction to the Committee. He had taken a note of everything his hon. and learned friend had said; and he would take upon himself to say, that he had not brought forward any one new fact. It was true, indeed, that he had thought proper to ridicule Dr. Burn by implication, but it might be worth while remarking, that the authority did not rest upon the *dictum* of Dr. Burn, but on the documents from which he drew that *dictum*, and which were still in existence. His hon. and learned friend said, that if they entered into discussions of this sort, there would be no end to them. He was by no means disposed to pass even a month in such discussions; but he thought that as this attack had been made during the last Session of Parliament, and the matter placed under the severest scrutiny, it was the duty of the Government to come armed with such evidence as should satisfy the House that they had arrived at the correct conclusion, and that Appleby ought to be disfranchised; and five months having elapsed since that attack had taken place, he had a right to complain of no new documents having been brought forward to support the view which the Ministers had taken of this question. He had now only one remark to make in conclusion. His hon. and learned friend had said, that it was the hon. Gentlemen on his (Sir C. Wetherell's) side of the House who proposed to take Appleby out of schedule A. This he denied: it was the Ministers who proposed to put Appleby in schedule A; and it was, therefore, they, and not his hon. and right hon. friends, who had to support the affirmative of the proposition: it was the Ministers who were bound to shew that Appleby was so small as to justify its being placed in schedule A; and this they had failed to do. It was quite clear that the outer districts were part and parcel of the borough in jurisdiction, in licensing, in perambulation, and in the duties of Coroner; then why were they not also to be part and parcel of the borough in the elective franchise? He did not want to spend a month on this discussion, but he thought that they ought to spend a month on it, or on any case, for the purpose of avoiding an imputation of injustice or partiality, and for the purpose of showing that they were throughout guided by one unvarying and inflexible rule of justice. His hon. and learned friend had said, that he would not waste the time of the House on this subject: it was his opinion, that his hon. and learned friend would have done well to have occupied more time than he had. It seemed to him as if his hon. and learned friend had come into the House without having made up his mind on the subject—as if he did not at all recollect what had taken place on the subject on a former debate—as if he was willing entirely to overlook the fact, which had been proved to demonstration, that the grossest violations of justice had been pointed out, both with respect to schedule A and schedule B.

Lord *Althorp* observed, I will not take upon myself to say, that I can give a complete answer to all that has fallen from the hon. and learned Gentleman; but, at all events, I will assure the Committee that, in what I have to say, I will undertake not to display that animation and vivacity in which the hon. and learned Gentleman has so plentifully indulged. In the very outset I beg to say, that to me it is a matter of very little importance whether Appleby is disfranchised or Petersfield; for that after all is, really, the practical question. I, however, feel bound to give my vote on the case as it appears to me; and as I intend to vote for the disfranchisement of Appleby, I beg leave to state, in a few words, why I have come to that determination. The hon. and learned Gentleman has complained of the interruption he received from my right hon. friend. I am afraid that I must take some portion of his censure to myself; for when the hon. and learned Gentleman seemed to forget that he was defending Appleby, and, after saying that Midhurst was indefensible, came to the conclusion that the two boroughs were precisely similar, I certainly could not help smiling at the oversight which produced a somewhat more lively exclamation from my right hon. friend, which naturally arose from the sudden excitement he felt at hearing the hon. and learned Gentleman arrive at so unexpected a result. To revert, however, to the borough of Appleby, which we now have to consider. The facts of the case appear to be pretty well agreed upon. On the other side it is urged, that, because the account of the perambulation that took place in 1741 is headed "Borough of Appleby," though its title, strictly speaking, is, "Perambulation of the Barony and Corporation of Appleby," it ought to be considered that the whole of the districts perambulated ought to be included in the borough, more especially as within those districts the Magistrates of the borough had the power of licensing the alehouses, and appointing the Coroner. There was, however, a record of a previous perambulation, which was called a "Perambulation of the Barony;" and in that nothing at all was said about the Corporation. The question, therefore, was, whether the introduction of the word "Corporation," in the perambulation of 1741, necessarily showed that the whole of the district perambulated belonged to the borough? The Mayor, moreover, when required to state the extent of the borough, had confined it to the limits of the boundary stones. Certainly, in my mind, there is no doubt that the borough is described by those stones, and, that a line drawn from stone to stone is the proper way of describing the limits of the borough. In addition to which, I may observe, that the Commissioner states, that he has ascertained that the whole of the houses of the burgesses is included within those lines. I am ready to admit that there are certain rights and immunities extending through the whole district; but the right of collecting tolls is confined to the borough stones, as well as the right of arrest for debt; in proof of the former of which propositions I may state, that, at a mill situated on the river beyond the stones, no toll is collected for flour sold there; and that, at a fair held on Gallows-hill, which is also situated in the outer district, the Magistrates have no right of toll. I think that all these instances pretty plainly show, that there is a decided difference between the precinct within the stones, and the whole of the district perambulated in 1741; and it is on these grounds that I shall give my vote, to the effect that the lines drawn from stone to stone properly express the limits of the borough. The right hon. Gentleman (Mr. Croker) has thought fit to compare the case of Appleby with that of Midhurst, and he seized that opportunity of implying that the preservation of the latter borough is owing to a feeling in favour of the hon. Gentleman who is the proprietor. But I am sure that the right hon. Gentleman must be quite aware, that, under the provisions of the present Bill, the whole of that hon. Gentleman's power will be done away with; because, instead of confiding the franchise to a hole in the wall, as has hitherto been the case, it will be placed in the hands of the 10*l.* householders. It has also been said, that my noble friend, in the course of last Session, stigmatized Midhurst as a rotten borough. Why, so it was a rotten borough, as long as the franchise was attached to the hole in the wall; and now that we have effected a change in the right of voting there, it is just as reasonable to say that Midhurst is a close borough, as it would be to say, that Bath ought to be disfranchised because the Corporation of that place, in which hitherto the right of election has been vested, is a close Corporation. However, as I said of Appleby, so I say of Midhurst, it is to me a matter of great indifference whether Midhurst be placed in schedule A or in schedule B: all that I have to do is, to state the reasons why any difference has been made between the arrangement in the former Bill, and in the present. It may, perhaps, be worth while to remark, that Midhurst is different from Appleby in this respect—that the former, having no Corporation or distinct jurisdiction, all we had to look to was, its parochial extent, while, in the latter, we felt bound to take for our guide the general limits of the borough jurisdiction.

Sir *Adolphus Dalrymple* said, it was the bounden duty of the Committee to see that, in ascertaining the boundaries, the Commissioners had executed their task fairly. He attributed no unworthy motives to any party, but he did not hesitate to say, that in the case of Appleby, justice had not been done. He asserted this boldly and fearlessly. When the boundaries of Appleby had been ascertained and defined in 1741, the right of voting was indisputably in the persons occupying burgage tenure houses, but now, when the right of voting was to be changed, that change ought to be calculated upon the full extent of the ancient boundaries. No person, with any knowledge of fortification, and wishing to give strength to the town, would have drawn such a boundary line as that marked by the Commissioners. For the purpose of defence, Bondgate would naturally be included within the line. On descending the hill from Bondgate, the traveller appeared to rush down upon the Castle of Appleby. In all cases of burgage tenure, such as in Appleby, it was incumbent on the House of Commons to see that an ancient borough was not wantonly disfranchised; and this place had especial claims upon their consideration as the former capital of Westmoreland. For these reasons, the perambulation of 1741 ought to be taken; and, therefore, he would vote against the disfranchisement of the borough.

Mr. *John Smith* expressed some regret at having been absent when the hon. and learned Member opposite had made his speech, in which that hon. and learned Gentleman referred to the interest which he possessed in the borough of Midhurst; for he would have then taken the opportunity of informing him, that the only interest which he held was that right which was possessed by a Lord of the manor over all the burgage tenures which he held within his boundary. This was all the connection that he and his relations had with Midhurst, and he never had exchanged a word with any Member of the Government about returning a Member to the place. He must also say, with respect to the observations which had fallen from a right hon. Gentleman on the other side (Sir Robert Peel) on the subject of the payment by him, of his assessed taxes at Midhurst, in order to swell the amount of taxes for the borough, for the purpose of raising the estimate of its value, and of enabling it to retain a Representative, that he had all his life acted uprightly, and that he had ever, and would ever, shrink from the commission of an unworthy act. He had paid his assessed taxes for his house in Grosvenor-square, where he resided; but he certainly never once contemplated the payment of any other taxes at any other place, much less of any assessed taxes at Midhurst, for the purposes ascribed to him.

Sir *Robert Peel* begged to assure the hon. Gentleman that he was labouring under a complete misconception. If the hon. Gentleman had heard what had fallen from him on the occasion to which he had alluded, he was quite sure that he could not have fallen into his present error. The amount of the assessed taxes was taken up to a period prior to the introduction of the Reform Bill, so that it was quite impossible that the hon. Gentleman could have paid them in Midhurst with a view to increase the proportionate Estimate of that place. When he had alluded to Midhurst, he had only said—suppose the hon. Gentleman should pay his assessed taxes in that borough, the effect would be to raise the proportion of Midhurst in the scale; and from this proposition he had argued, that to take the assessed taxes as a criterion of the importance of a place was manifestly unjust; because the law permitted those taxes to be paid either on the spot, or at a distance, and therefore the test was a fallacious one. But he begged to assure the hon. Gentleman, that in all this he had not made the least personal reference to him. At all events, he hoped, that it was no reflection on anybody to pay his taxes in a parish in which he did not reside, for that happened to be his own case. With respect to the question immediately before the House, relating to the borough of Appleby, the main consideration was, the limits of the borough; and he had no hesitation in declaring, that, in his opinion, the boundaries of the barony and of the borough were, and ought to be considered the same. Anciently a barony and a borough meant the same thing. The borough meant that place in which the Court-leet was held, and comprehended the boundaries within which the burgage tenure houses were. The perambulation of 1741 purported to be made by the Mayor, Aldermen, and inhabitants of the borough. The position of the gates could not determine the question of boundaries, for it was natural to suppose that, for convenience sake, they were placed as near the town as possible. His opinion was, that all parts within the limits of the ancient barony should have been taken in by the Commissioners. On these grounds he should vote for placing Appleby in schedule B.

Mr. *John Campbell* said, that the question was not as to the liberties, but as to the limits, of the borough. When he understood that the Coroner held inquests, and that the Magistrates granted alehouse licences, it was impossible not to say, that the districts where they exercised that authority were not within the liberties of Appleby; but, notwithstanding this, he contended that these districts formed no part of the limits of that borough. The extent of such jurisdictions could not determine the question, for it was well known that, by the King's patent the jurisdiction of Magistrates was often extended beyond the limits of the borough. This was the case in Tewkesbury, and there was another instance of it in the borough of Southwark; for the Ward of Bridge Without was in Southwark. It might, on the grounds on which the Gentlemen opposite, had argued this question, with equal justice, be said, that the borough of Southwark, in which the Magistracy of London had jurisdiction to the extent he had mentioned, and held courts, inquests, and granted licences, was, on that account, part of the city of London, and within its limits. The jurisdiction of the Magistrates of Appleby, did not extend beyond the stones; even the power of arrest was denied to them beyond this boundary, and another important fact in the case was, that the Corporation was bound to repair the roads only within the limits indicated by the stones, and that there was no burgage tenement beyond these limits. The Mayor at first admitted that these were the limits of the borough, and, perhaps, in such a case, first thoughts were best. On these grounds he felt satisfied that the Commissioners had drawn the limits with correctness and propriety.

Sir *James Scarlett* had known Appleby long, and was not aware how his hon. and learned friend had obtained the fact he had just mentioned with respect to the power of arrest, for he believed that there was no instance on record of the power of arrest being exercised later than the year 1795, and then only within the four boundary stones. He was at a loss to imagine on what grounds the stones affixed to mark the stations at which tolls were payable should be deemed and taken to be the boundaries of the particular borough in which they might be so erected. He had never heard of any such principle in law. He believed that tolls were collected in Covent-garden market on goods sold within the market, and on the principle which had been contended for, it might as well be said, that the places where such tolls were payable marked the limits of the Bedford estate. [The hon. and learned Gentleman being here interrupted by a noise in the House,]

Mr. *Croker* rose and said, that, with every respect for those Gentlemen below the Bar, who were interrupting the proceedings of the House, he should feel it to be his duty, if they did not bow to what evidently appeared to be the wish of the House, to take some effectual step for the preservation of order.

Sir *James Scarlett* was sorry to hear Gentlemen calling out "Question, question," in this manner. He was of opinion, that if, instead of calling out "Question," individuals would pay attention to the debate, they would acquire such information, as might enable them to decide on the subject under discussion with some appearance of calmness and deliberation, as became persons fulfilling their high duties. He must confess he had heard with surprise a principle of law stated by hon. and learned Members, as to the question of tolls, which he felt strong objections to as a lawyer. As to the argument drawn from the boundary stones in these boroughs, he observed, that it was not at all analogous to the case of the city of London. The case of London was different from that of Appleby, for the boundaries of London were well ascertained by those parts of the wall still standing. The liberties of London were different, for they were given by charter. In Appleby there was no charter by which the liberties were extended beyond the limits of the borough. He considered that the perambulation of 1741 included only the boundaries of the borough, and not the liberties. This was clear from the circumstance that a certain close not within the borough was included in that perambulation, and afterwards excepted from it, on the ground of having been included by mistake. He had no doubt that this was the decision to which a Judge and Jury would come. In conclusion, he stated, that he would unquestionably vote against the Motion.

Mr. *Attwood* was at a loss to conceive how Ministers could include Appleby in schedule A, while they excluded Midhurst from it. The noble Lord had stated, that for a long time the battle on the subject of disfranchisement lay between Petersfield and Appleby.

Lord *Althorp:* The hon. Gentleman has mistaken what I said.

Mr. *Attwood* observed, that he was very much mistaken if the noble Lord had not declared that the struggle with respect to franchisement or disfranchisement was between Petersfield and Appleby. If then, this were so, the fairest way would have been, not to have had a debate upon the subject, but to have put the names of the two boroughs in a glass on the Table, and to have drawn one of them. It was quite clear to him, that the boundary line with respect to Appleby and Midhurst, had been taken on a different principle. If the same principle had been acted on with respect to both, both would have been excluded. He denied that Appleby was an insignificant place, in contradiction to the assertion of the Attorney General. If the hon. and learned Gentleman had merely stated, that it ought to be disfranchised because it was a nomination borough, that would have been rational and manly; but, that would have endangered Midhurst, and half a dozen other boroughs that were now saved. To disfranchise Appleby, instead of including the whole town within the limits of the borough, was doing an act of injustice. He warned the Committee against acting on any such principle, which would endanger other things. If they proceeded in the way that was now proposed, they would be doing a palpable injury to the people of Appleby, who now held the franchise, by thus depriving them of a right which was deeply important, besides, setting an example that they could be swayed by different principles in their decisions.

Mr. *Hunt* said, he recollected hearing the noble Lord (Lord J. Russell) denouncing Midhurst as the most rotten of all boroughs, and the hon. member for Buckinghamshire said, he was out of breath with joy at hearing that this and other boroughs were to be disfranchised. The hon. Member was praised for his Roman, his more than Spartan, virtue. Now, however, this rotten borough was to remain, and so the hon. Member got his reward. He always understood that Appleby was as rotten as any borough in England; but he thought it a great injustice to Appleby that it should be disfranchised, whilst other rotten boroughs retained their Representatives; but, the noble Lord and the hon. and learned Gentlemen opposite, had said, they were perfectly indifferent whether Appleby or Petersfield was enfranchised. What! he would ask, were they indifferent to justice? It might be of little importance which of these places should have Members, but it was most important that the House should see justice done upon the principle laid down by the noble Lord. He knew from the temper of the House, that there would be a large majority for the disfranchisement, and he should also vote on that side; but then it was on the ground that Appleby was a nomination borough; and so was Midhurst, for the disfranchisement of which he should also vote; and he then gave notice, if he was in time, that he should move that Midhurst be placed in schedule A.

The Committee divided on the question that Appleby stand part of schedule A.—Ayes 256; Noes 143;—Majority 113.

Appleby was placed in the Schedule.

List of the AYES.

ENGLAND.

Althorp, Viscount
Anson, Hon. G.
Astley, Sir John D.
Atherley, A.
Bainbridge, E. T.
Baring, Sir T.
Baring, F. T.
Barnet, C. J.
Bayntun, S. A.
Beaumont, T. W.
Benett, J.
Berkeley, Capt.
Blake, Sir F.
Blamire, W.
Blunt, Sir C.
Bouverie, Hon. D. P.
Bouverie, Hon. P. P.
Briscoe, J. I.
Brougham, J.

Brougham, W.
Buck, L. W.
Buller, J. W.
Bulwer, E. E. L.
Bunbury, Sir H. E.
Burton, H.
Buxton, T. F.
Byng, Sir J.
Byng, G.
Byng, G. S.
Calley, T.
Calvert, C.
Calvert, N.
Campbell, J.
Carter, J. B.
Cavendish, Lord
Cavendish, Hon. Col.
Chichester, J. P. B.
Clive, E. B.
Cockerell, Sir C.
Creevey, T.
Currie, J.
Curteis, H. B.
Davies, Col. T. H.
Denison, W. J.
Denman, Sir T.
Dundas, Hon. Sir R. L.
Dundas, Hon. J. C.
Dundas, Hon. T.
Easthope, J.
Ebrington, Viscount
Ellice, E.
Ellis, W.
Evans, Col.
Evans, W.
Evans, W. B.
Ewart, W.
Fazakerley, J. N.
Fellowes, H. A. W.
Ferguson, Gen. Sir R.
Foley, Hon. T. H.
Folkes, Sir W.
Gisborne, T
Godson, R.
Graham, Rt. Hn. Sir J.
Graham, Sir S.
Grant, Right Hon. R.
Greene, T. G.
Grosvenor, Lord R.
Handley, W. F.
Harcourt, G. V.
Hawkins, J. H.
Heathcote, G. J
Heneage, G. F.
Heywood, B.
Hobhouse, Sir J. C.
Hodges, T. L.
Hodgson, J.
Horne, Sir W.
Hoskins, K.
Howard, P. H.
Howard, W.
Howick, Viscount
Hudson, T.
Hughes, Alderman
Hume, J.
Hunt, H.
James, W.
Jerningham, Hn. H. V.
Johnstone, Sir J.
Joliffe, Sir H.
Joliffe, Colonel
Jones, J.
Kemp, T. R.
King, E. B.
Knight, H. G.
Knight, R.
Labouchere, H.
Langston, J. H.
Langton, Colonel G.
Lawley, F.
Lefevre, C. S.
Leigh, T. C.
Lennard, T. B.
Lennox, Lord A.
Lester, B. L.
Littleton, E. J.
Lumley, J. S.
Lushington, Dr. S.
Maberly, Col. W. L.
Macaulay, T. B.
Macdonald, Sir J.
Mangles, J.
Marjoribanks, S.
Marshall, W.
Mayhew, W.
Milbank, M.
Mildmay, P. St. J.
Mills, J.
Milton, Viscount
Morpeth, Viscount
Morrison, J.
Mostyn, E. M. L.
Newark, Viscount
Noel, Sir G.
North, F.
Norton, C. F.
Nowell, A.
Nugent, Lord
Ord, W.
Owen, Sir J.
Paget, Sir C.
Paget, T.
Palmer, General C.
Palmer, C. F.
Palmerston, Viscount
Pelham, Hon. C. A.
Pendarves, E. W. W.
Penleaze, J. S.
Penrhyn, E.
Pepys, C. C.
Petit, L. H.
Petre, Hon. E.
Philips, G. R.
Phillips, C. M.
Ponsonby, Hon. J.
Poyntz, W. S.
Price, Sir R.
Ramsbottom, J.
Ramsden, J. C.
Rickford, W.
Rider, T.
Ridley, Sir M. W.
Robinson, Sir G.
Robinson, G. R.
Rooper, J. B.
Russell, Lord J.
Russell, Lieut.-Col.
Russell, C.
Russell, W.
Sanford, E. A.
Schonswar, G.
Scott, Sir E. D.
Sebright, Sir J.
Skipwith, Sir G.
Smith, Hon. R.
Smith, G. R.
Smith, J.
Smith, J. A.
Smith, M. T.
Smith, R. V.
Stanley, Rt. Hn. E. G.
Stanley, J.
Stephenson, H. F.
Stewart, P. M.
Strickland, G.
Strutt, E.
Stuart, Lord Dudley
Stuart, Lord P.
Talbot, C. R. M.
Thicknesse, R.
Throckmorton, R. G.
Thomson, P. B.
Tomes, J.
Torrens, Colonel R.
Townley, R, G.
Townshend, Lord C.
Tracy, C. H.
Troubridge, Sir E.
Tynte, C. K. K.
Tyrrell, C.
Venables, Alderman
Vernon, Hon. G. J.
Vernon, G. H.
Villiers, T. H.
Vincent, Sir F.
Waithman, Alderman
Walrond, B.
Warburton, H.
Warre, J. A.
Wason, R.
Watson, Hon. R.
Webb, Colonel E.
Western, C. C.
Weyland, Major R.
Whitmore, W. W.
Wilbraham, G.
Williams, Sir J.
Williams, J.
Williams, W. A.
Williamson, Sir H.
Willoughby, Sir H.
Winnington, Sir T.
Wood, C.
Wood, J.
Wood, Alderman
Wrightson, W. B.
Wrottesley, Sir J.

SCOTLAND.

Adam, Admiral C.
Campbell, W. F.
Dixon, J.
Gillon, W. D.
Grant, Rt. Hon. C.
Jeffrey, Rt. Hon. F.
Johnston, J.
Mackenzie, S.
M'Leod, R.
Ross, H.
Trail, G.

IRELAND.

Acheson, Viscount
Bellew, Sir P.
Blackney, W.
Bodkin, J. J.
Boyle, Hon. J.
Browne, J.
Browne, D.
Burke, Sir J.
Callaghan, D.
Carew, R. S.
Chapman, M. L.
Clifford, Sir A.
Coote, Sir C. H.
Doyle, Sir J. M.
Grattan, H.
Grattan, J.
Host, Sir W. J.
Howard, R.
Ferguson, Sir R.
Killeen, Lord
Lambert, H.
Leader, N. P.
Macnamara, W.
Musgrave, Sir R.
O'Connell, M.
O'Connor, Don
O'Farrell, R. M,
Ponsonby, Hon. G.
Power, R.
Rice, Hon. T. S.
Ruthven, E. S.
Sheil, R. L.
Walker, C. A.
White, Colonel H.
Wyse, T.

TELLER.

Duncannon, Viscount

The next question was, that the borough of Lostwithiel be a part of the schedule.

Mr. *Croker* thought it due to the Committee to say, that, as it had already decided by so large a majority in the case of Appleby, on the principle applied to the remaining boroughs, he should not divide on the question of Lostwithiel. He must, at the same time say, however, that when the Boundary Bill came to be considered, he should avail himself of the opportunity to re-open the question connected with them.

Mr. *Cust* said, that the borough of Lostwithiel stood in precisely the same condition as Midhurst, which was now in schedule B. Lostwithiel had a greater population than either Midhurst or Malmesbury: he should certainly, therefore, move, when they came to consider that schedule, that Midhurst be transferred to schedule A.

Mr. *Croker* said, that, if no one else would do so, he would certainly move hereafter that Midhurst should be placed in schedule A. He should like to know from the noble Lord what was the authority for the boundary assigned to Lostwithiel?

Lord *John Russell* referred to the authority, which was that of the returning officer, and said, that the Boundary Commissioners had been, after the former Bill was thrown out, deterred from extending inquiries to those boroughs, in consequence of the threats that were held out by hon. Gentlemen, that their authority, in reference to them, would not be attended to.

Mr. *Croker* said, that the authority as to the boundary of Appleby had been just rejected by the House, while the very same authority was that which was now adhered to in the instance of Lostwithiel, namely, the authority of the returning officer. He was at some loss to understand how it was, that the House was called on to accept the boundary given to Lostwithiel, when it had rejected that which had been assigned to Appleby, although they were founded on precisely similar grounds. The first statement with regard to Lostwithiel was, that its limits had been assigned on the authority of the returning officer: that was what they wanted with Appleby. It was next said, the authority was given on the authority of a perambulation: so was that of Appleby. Thirdly, it was said, with regard to the latter place, that it was a burgage tenure borough, and that the boundary had nothing to do with the returning of Members to Parliament; but, in the statement of the case of Lostwithiel, it was observed, that "the exercise of the elective franchise is not connected with residence, or property within the borough." Therefore, it did so happen that this very borough united within itself the three tests which had been just rejected at Appleby.

Lord *John Russell* said, that there was this great point of difference in the two cases, which, in fact, involved the whole question at issue. In the instance of Appleby, there were two limits stated—one by the returning officer, and another by the Commissioners. Now, they took the latter, and rejected the former. But in the case of Lostwithiel there was only one stated, and that one was not disputed.

Mr. *Croker* said, he denied the noble Lord's facts: there was no second boundary stated; there were only four supposed boundary stones assigned for the corners of the smaller inclosure, but there was no authority for saying the limits of the borough were to be drawn by straight lines from one of these to the other.

Lord *John Russell* said, the return made by the Mayor of Appleby to the question of how many houses there were in the borough, and the amount of Assessed Taxes, was to confine those particularly within the smaller limits, precisely the same as the Commission included generally in the words, "this is the number of houses, and the amount of the Assessed Taxes within the borough and the boundary stones." Thus, these limits were the same; but the Mayor afterwards made a second return, in which he claimed a larger boundary, whereas, there was no such discrepancy in the case of Lostwithiel.

Mr. *Jones* said, the noble Lord had remarked that the authority of the Boundary Commissioners was to be disputed, because they had not their power from that House; but, he was sure, had the noble Lord and his colleagues desired it, they might have been armed with that power.

Mr. *Croker* said, that he certainly would take the sense of the House hereafter, as to whether other boroughs, which immediately followed in the list, were not better entitled to stand in schedule A than those upon which the House was just deciding.

The question agreed to, and Lostwithiel was placed in schedule A; as was also the question, that the borough of Brackley, in Northamptonshire, stand part of schedule A.

On the question that Amersham be added to the schedule,

Mr. *Pigott* said, as they were now arrived at the last borough of the fifty-six in schedule A, he begged to suggest, whether it would not be preferable to consider the question of the merits of Midhurst, before they agreed to disfranchise Amersham.

Lord *John Russell* said, that the Committee had fifty-six already in the list; but if any hon. Member chose to move that other boroughs be added thereto, it was competent to him to do so.

Mr. *Croker* would take the liberty to amend the suggestion of the noble Lord, and move, that the borough of Midhurst take the place of Amersham in schedule A.

The *Chairman* said, the original question was, that Amersham, Buckinghamshire, stand part of schedule A; to which an amendment had been moved, to substitute the words "Midhurst, Sussex:" the question now, therefore, was, that the words proposed to be left out stand part of the clause.

Mr. *Drake* said, the boundary, with regard to Amersham, had not been properly taken: there was a portion of the town certainly within the limits of the borough, but there was still a large portion unjustly excluded. Among the rest, was the district in which the rector's house was situated; and yet, when he held a Court for the purpose of making appointments connected with the borough, it was held in that very house.

Lord *John Russell* said, on looking to the Map, the house in question was at a considerable distance from the town; he must, therefore, contend for the validity of the return of the Commissioner.

Mr. *Jones* suggested, that both Amersham and Midhurst should be placed in schedule A, and the franchise of Midhurst conferred on one of the numerous large towns still unprovided with a Representative.

Mr. *Pigott* said, the House had already decided that schedule A was to contain fifty-six places, and the only question was, the names of the boroughs that were to be inserted therein.

Mr. *Croker* observed, that Midhurst had been brought within the line of schedule B, by adding to its limits a large agricultural district; while Amersham, on the contrary, had been pared down to the smallest possible limits, under a pretence of boundaries which were not so well defined as the larger boundary of Appleby, by the perambulation.

Lord *John Russell* said, that, in the case of Amersham, they had followed the principle they had always laid down for their guidance. When they found the boundaries of a borough well defined, they adhered to them; and it did not appear there was any question with respect to those of Amersham.

Sir *Charles Wetherell* said, the Ministers bandied their boundaries about to suit their own convenience, and to obtain supporters, without regard to principle. In one place, they added districts and parishes; in another, they excluded them in the most arbitrary manner.

Alderman *Waithman* said, that his vote would be regulated by one fact: Amersham was notorious as a rotten or nomination borough, and there had not been an election in it within the memory of man.

Mr. *Croker* said, he was indebted to the worthy Alderman for a most admirable speech on his side of the question, for there was not one word he uttered that did not apply with equal force to the borough of Midhurst.

The Committee divided—Ayes 264; Noes 173—Majority 131.

List of AYES, *to be added to the List at pp.* 618, 619, 620.

[After the first division, twelve Members, who had voted in the Majority, went away, and the following twenty, who were not in the first, voted in the second division]:

Baillie, J. E.
Belfast, Earl of
Bentinck, Lord G.
Duncombe, T.
Guise, Sir W.
Ingilby, Sir W.
Lambert, J.
Lennox, Lord W.
Loch, J.
Robarts, A. W.
Rumbold, E.
Russell, Sir R. G.
Stanhope, Capt. R. H.
Shaw, Sir M. S.
Thomson, Rt. Hn. C. P.
Thompson, Alderman
Uxbridge, Lord
Wellesley, Hon. W. T.
Westenra, Hon. H.
White, S.

The question was then put, that the borough of Amersham stand part of schedule A.

Mr. *Croker* said, there were clearly errors in Lieutenant Drummond's calculations, but it was of no use re-arguing a question that had been decided; all, therefore, that he should at present say was, that in his opinion Amersham and Westbury ought to change places.

Mr. *Pollock* said, that in consequence of what had occurred last night, he had again examined Lieutenant Drummond's mode of calculation with the most serious attention, and he was convinced there was some mistake in it. He would endeavour to prove this by the examples of Petersfield and Westbury in one case, and East Grinstead and Wendover in another. In the case of Petersfield and Westbury, the superiority of the one over the other, was in taxes—of the other in houses. Petersfield paid 540*l.* taxes, and had 278 houses. Westbury had 536 houses, and paid 278*l.*

taxes. But Petersfield was lower in the scale than Westbury, and consequently the superiority of taxes did not produce a corresponding effect upon the result. When he mentioned this last night, he was told that it was quite right—that it was intended to give a greater weight to houses. Now let the Committee mark the other case, for it was just the reverse. East Grinstead had 198*l.* taxes, and Wendover 198 houses; but East Grinstead was 131 houses, and the taxes of Wendover were 124*l.*; and, therefore, East Grinstead in respect to taxes, was as 198*l.* to 124*l.* and Wendover, in respect to taxes, was as 198*l.* to 131*l.* But East Grinstead, which came nearer in houses than taxes, was put higher in the list, (that is, lower in the scale). One led to the conclusion that the superiority was as to taxes—the other as to houses. This was the natural result of the arithmetical mean which Lieutenant Drummond had adopted, and which he (Mr. Pollock), upon every principle of mathematics, contended could never be made the medium by which a just conclusion could be formed. It had been said in the course of the last evening's discussion, that the authority of two illustrious names had been given to sanction the correctness of the plan adopted by Lieutenant Drummond. He (Mr. Pollock) was willing to pay great respect to the authority of those names; but he knew that the distinguished individuals to whom they belonged would not thank him for yielding to their authority, if he threw out of consideration the reason upon which that authority was given. He was, therefore, anxious to be informed of the reasons which they had advanced for the answers which they had given to the questions of Lieutenant Drummond.

Lord *John Russell* stated, that the question submitted to the Gentleman alluded to, was, whether Lieutenant Drummond had given a correct answer to Lord Melbourne's letter.

Mr. *Warburton* observed, that the instructions of Lord Melbourne to Lieutenant Drummond were, that houses and taxes should be taken together. The common interpretation of the term "together" was, that the sum should be taken, not that the two terms should be multiplied together. The course taken by Lieutenant Drummond was the best, and was conformable to Lord Melbourne's instructions.

Mr. *Davies Gilbert* said, that it appeared from the instructions of Lord Melbourne, that each of the two columns were to be equipollent, reducing the fractions to a common denominator, and adding them together. That was what Lieutenant Drummond had attempted; and whatever differences might occur, they would have a very slight effect upon the result.

Mr. *Croker* remarked, that only made the sums total correct, but did not affect the parts they wanted to touch. The great fault in Lieutenant Drummond's system was, the application of the rule to the arbitrary number of 100, by which it was rendered impossible to ascertain the value of some of the small boroughs; as might have been done, if a smaller number, or the whole number of boroughs had been taken. It was ridiculous to determine the relation between East Grinstead and Westbury, by the ratio of Pontefract to Malton.

Mr. *Stephenson* said, he must defend the accuracy of the principle of calculation adopted by Lieutenant Drummond. The objections of the hon. and learned Gentleman would apply to the higher mathematics, but the effect of any trifling errors in the present list would not alter the relative positions of the boroughs, or take any away from one schedule to be added to the other.

The question, that Amersham stand part of schedule A, agreed to.

The next motion was, that Petersfield stand part of schedule B.

Mr. *Croker* asked where the poll was to be taken in Petersfield, and what was the authority for the boundaries?

Lord *John Russell* replied to the second question, the boundary stones. To the other he could not immediately give an answer.

Mr. *Sheil* stated, that to save time, he would, instead of going on with the Motion respecting the five first boroughs in schedule B, of which he had given notice, move that Petersfield stand part of schedule A, and that 56 in that schedule should be changed to 57. It would save time, because if he were defeated on Petersfield, he would have no chance of succeeding with the other four.

Lord *John Russell* observed, the hon. Member could not change the number 56.

Mr. *Sheil* then proceeded with his Motion, and stated, that its object was, that the House should have at its disposal a greater number of boroughs for a more favourable distribution. What this was he was not bound to show; he had only to contend that Petersfield ought to be placed in schedule A. Amersham stood 56; now what was the difference between it and Petersfield? Nothing to entitle the latter to a representative. Petersfield, which was 57th in the list, had 278 houses and Amersham had 360. Amersham had 101 10*l.* houses, and Petersfield 89. If they compared Petersfield with Amersham as to population, wealth, rental number of 10*l.* houses, they would find that in all these particulars Amersham had far higher claims to return a Member than Petersfield, though the latter was placed in schedule B, while the former had just been knocked down in lot A. Petersfield contained but 89 10*l.* houses, Amersham 101. Petersfield contained but 1,443 inhabitants, while Amersham had 2,015. And the rental of Amersham—that is, the value of the houses in that place—was to the rental value of Petersfield as 7,000*l.* to 2,500*l.* On what ground, therefore, taking the three tests of qualification in which the present schedules were framed—namely, wealth, population, and prosperity—could it be justified to retain Petersfield in schedule B, while Amersham was consigned to schedule A? He did not wish to rescue Amersham from its fate, but he thought that Petersfield ought to suffer the same. Why was the number of boroughs in schedule A confined to fifty-six? Was there anything cabalistic in that particular number? nothing more than that it was the number which the last Reform Bill contained. But, if that was a reason for confining schedule A to that precise number in the present Bill, how was it that the principle of schedule B had been departed from, and the number of boroughs in that reduced from forty-one to thirty? The House, however, ought not to stay to consider either of these questions; they ought to consider whether the characteristics of a nomination borough were not marked and stamped upon the places which came under review, and, if they were, the House ought to vote in support of the Motion he was about to propose. He might add also, this curious and important fact—that the population of Petersfield, so far from having increased since 1821, had, in truth, decreased since that period, as would be observed upon a comparison of the returns of 1821 and 1831. Under all these circumstances, he thought that there could be no doubt that the borough of Petersfield ought to be included in schedule A. If he succeeded in this Motion, he should move to add four others to the same list, but if he did not, he should not trouble the Committee with a discussion upon them. He concluded by moving that the borough of Petersfield be added to schedule A.

Lord *Althorp* was free to admit that, so far as the abstract principle of Reform was concerned, his hon. and learned friend's argument was irrefragable. As an honest Reformer, he could not seriously argue the question whether a place comparatively so insignificant as Petersfield should retain the right of returning a Member to that House. But the question then before the Committee, considered in all its relations, was not one of mere principle—it also involved considerations of policy and expediency. It was admitted that, let the number of schedule A boroughs be what it might, it must be in some degree arbitrary—that they must draw a line somewhere, the boroughs bordering on which must appear on the one hand to be unduly favoured, and on the other to be visited with undue harshness. The number 56 was adopted in the present Bill, because on the one hand it was desirable that a less extent of disfranchisement than the former Bill proposed, and which the public sanctioned, should not be effected in the new measure; and, on the other hand, it was a matter of prudence that the success of the Bill should not be hazarded in the House of Lords, by sending up to it a higher number of disfranchised boroughs than was contained in that which they had already rejected. The only way, therefore, in which he could deal with the question was, with respect to the policy of introducing it considered with respect to the measure of Reform itself. He thought, in that view of the question, that it would be most impolitic to increase the number of disfranchised boroughs at the present moment [*hear! hear!*]. He understood the cheer of the hon. Member, but he should state now, as he had stated before, that it would be more prudent not to create unnecessary opposition to the great measure of Reform, by carrying the principle of disfranchisement further than the list had now carried it. As a mere question, therefore, of prudence, he would oppose his hon. and learned friend's Motion.

Sir *Robert Peel* observed, that the

speech of the noble Lord opposite short as it was, was pregnant with important matter, with matter that excited conflicting feelings—some of alarm, others of consolation. Of alarm, because the noble Lord now admitted, that this measure of Reform was not a permanent and final measure. That it would not be permanent he (Sir Robert Peel) had often declared, and he had now the authority of the noble Lord for repeating the assertion. What did the noble Lord say? That the addition of Petersfield to schedule A was not prudential at the present moment. The noble Lord did not wish to save Petersfield; but thought it would not be prudent at present to extinguish its franchise. What was this but to admit, that the present concession of that franchise was founded on no principle—and was merely a sacrifice to a temporary expediency. What became then of the final and permanent character of the Reform Bill? This was a reflection of anxiety and alarm; but it was attended with a reflection of a consolatory nature. He rejoiced to hear from the noble Lord, that no violent interference with the conduct of the House of Peers would be attempted. Such was the necessary inference from the noble Lord's observation as to the policy of not adding Petersfield to schedule A. If the votes of the House of Peers in opposition to the Bill were to be overborne by a great addition to the Peerage, it was a matter of indifference, whether Petersfield was or was not included in schedule A. As to the very clear and convincing speech of the hon. and learned Member opposite (Mr. Sheil), he begged to say, that with every word of it he most fully concurred. The hon. and learned Member had demonstrated the absurdities which existed in the Bill, and, so far as that went, he (Sir Robert Peel) fully concurred with the hon. and learned Member. He regretted, however, that the hon. and learned Member had not favoured the House with his speech before the fifty-six boroughs had been disfranchised. As to the Motion itself, he rejoiced to find, from the dictum of the noble Lord, that Petersfield was safe, and he should support the noble Lord in keeping it so.

Mr. *Stanley* congratulated the right hon. Baronet on these noisy cheers and, he congratulated the hon. and learned Gentleman on the support which the right hon. Baronet had afforded him—support that must have made the hon. and learned Gentleman somewhat suspicious of the prudence and propriety of his Motion, which had thus been made the means of of embarrassing the passing of the measure of Reform. This was the second time that the right hon. Baronet, with whose ability to seize a single point, and turn it to advantage, they were all acquainted, had put himself between the two sides of the House to prevent the working of the spirit of conciliation. This was the second time that the right hon. Baronet had taunted them with the concessions they had made. The right hon. Baronet had misinterpreted the speech of his noble friend, who had not said that the measure would not be permanent, or that for the purposes of the present moment it was prudential not to include Petersfield in schedule A, but who had said that, with a view to avoid creating unnecessary opposition to the passing of this measure, he should not wish the introduction of Petersfield into that schedule, though, considered by itself, and without reference to the measure, he was not prepared to say that Petersfield was entitled to send Members to Parliament. On the former occasion, the Government had adopted a certain rule, by the operation of which fifty-six boroughs were to be disfranchised —they had met with opposition to their Bill in the other House—they had been taunted here and there with having adopted the rule of population. They had now adopted that of assessed taxes—they were equally taunted for having done so; but, there was this remarkable circumstance, that the results gained upon employing two different rules were, with a very small variation, the same. The right hon. Baronet had assumed that the Bill would not be permanent; it would be so—and the Government had lent their aid to make it so, by adopting one grand principle, and asking the House to confirm that, and in consideration of that principle to pass over minor details. No doubt the right hon. Gentleman and his party were prepared to compliment the hon. and learned Member, whose proposition so much tended to assist them in embarrassing the passing of this measure. He should not follow the right hon. Baronet in introducing the question of the creation of Peers—he should only say that it was not the wish of Ministers to raise more opposition to the measure than was absolutely necessary.

Mr. *Croker* was astonished at the speech of the right hon. Gentleman, who seemed to accuse them of ingratitude for not receiving as a boon that which both he and the noble Lord admitted to be conceded to expediency. The hon. and learned Gentleman opposite had stated most powerfully the absurdity of the Bill by the comparison he had instituted between Amersham and Petersfield. Though he regretted that his speech had not been made before, the House had decided the question as to the disfranchisement of fifty-six boroughs. The hon. Gentleman had very properly used the phrase "cabalistic number 56," though he must remind him that that phrase had been first used on his side of the House, and against that measure for which the hon. Gentleman had voted. The noble Lord need not tell them that this Bill was not a permanent measure, that it was but the expedient of a moment, he need not prophesy that it would be but temporary. All were convinced of it, but, he (Mr. Croker) would tell them, that its life and existence would last little beyond this moment, but that its character with the country would last for ever.

Lord *Milton* said, that the right hon. Gentleman was fond of indulging in figures of speech; and he had only done so in this instance when he put into the mouth of the noble Lord the declaration that this measure was one of present expediency. The noble Lord had never uttered such an assertion. It was the inference which the right hon. Gentleman pleased to draw from the noble Lord's statement, but it was not the statement itself. The right hon. Baronet, too, had found fault with the numbers: he ought to show what number of boroughs should be disfranchised, for even he did not pretend that some Reform was not necessary.

Mr. *Sheil* would not press his Motion to a division. He certainly should not have brought it forward, had he supposed that it would have given rise to the present discussion. His great object, however, in bringing it forward was to cut off a certain number of the small English burghs for the purpose of giving an additional number of Members to Ireland. He would not reply to what had fallen from the right hon. Baronet, but merely express his regret that the right hon. Baronet had not thought proper to enlighten the country on the question of Reform, and tell them what boroughs he would consent to disfranchise. As the eyes of the public were fixed on him, he thought some such explanation would be better than merely cavalling at details. The hon. and learned Member then said, that seeing the feeling of the House, he would withdraw his Motion.

Mr. *Croker*: With reference to what has fallen from the hon. and learned Gentleman, I wish merely to say, that whenever I rise to state my opinion upon any question, the House may be assured that I will not change that opinion right round before I sit down.

The original Motion for inserting Petersfield in schedule B, agreed to.

The Chairman reported progress. The Committee to sit again next day.

HOUSE OF COMMONS,

Thursday, February 22, 1832.

MINUTES.] Bills brought in. By Mr. O'CONNELL, to extend the Jurisdiction of Civil Courts in Ireland, from the late Irish Currency to the present Currency of the Realm:—By Mr. FRANCIS BARING, to reduce the Allowance on Spirits made from Malt only in Scotland and Ireland.

Returns ordered. On the Motion of Sir ROBERT PEEL, of Memorial to the Treasury of the 8th of June, 1831; from the Directors of the Grand Junction Works, and of Correspondence between the Directors and the Treasury thereon:—On the Motion of Mr. SPRING RICE, of the Number of Commissioned Officers of the Navy who had Died, and those who had been Promoted, between the 1st January, and 31st December, 1831, and the Annual diminution of the Half-pay List; of any Answers received to a Letter dated 26th January, 1831; from the Chief Secretary of Ireland to the several Courts of Justice, as to the suggestions of the Commissioners of Judicial Inquiry:—On the Motion of Mr. JEPHSON, of all Sums received and paid in the Registration of Deeds-office, Dublin, on each of the years from 1828 to 1832, and of all Steam Post Office Packets employed between Great Britain and Ireland, in the years 1830 and 1831, with all the particulars concerning their Navigation, Expenditure, and Number of Voyages:—On the Motion of Mr. GISBORNE, of all Accounts that had been received relating to the quantities of the Precious Metals produced in the various Countries of America in pursuance of directions given by the Foreign Office to the Consular Agents employed in those Countries:—On the Motion of Mr. HUME, for an Account of all the Royal Parks and Gardens with their Establishments and Expenses maintained at each, and for an Account of all Monies received and paid by the Commissioners for the reduction of the National Debt; an Account of Friendly Societies and Savings Banks, from the 6th of January, 1817, until the latest date the Accounts can be made up to, and an Account of the Balances in hand, and the Securities in which they are invested.

Petitions presented. By Mr. O'CONNELL, from the Trades' Political Union, Dublin, against Flogging in the Army; from the Joiners of Dublin, praying for a Repeal of the Legislative Union; from Ashton-under-line, in favour of the Bill for Regulating Factories; and from the Catholic Merchants and Artizans, Masters, Wardens, and Freemen of the Guilds of Trade, Galway, for a Provision in the Irish Reform Bill for the peculiar Franchise of that place: By an HON. MEMBER, from the Owners and Occupiers of Mills at Huddersfield, against the Factories Regulation Bill.

JURIES (IRELAND).] Mr. *O'Connell*

presented a Petition from the Trades' Political Union of Dublin, praying for the Extension of the Principles of the 6 Geo. 4th, cap. 50, for Regulating Juries in Ireland. The petitioners claimed this as a fair measure of justice to create reciprocity of rights between the two kingdoms. They particularly complained of the power which was given to Magistrates in Ireland at Quarter Sessions to strike the Lists of Special Juries, they considered themselves neglected when seven years had passed over since the Bill was enacted for England, without its provisions having been extended to Ireland. He trusted the House would bear in mind that the power of striking Juries was given to Magistrates when they themselves might be parties to the suit, that is, that they had the power to select their own Jury, this was rather too bad even for Ireland.

Mr. *Crampton* felt surprised at the remarks of the hon. and learned Member, for he had understood that he approved of the Irish Jury Bill generally, and only wished that in extreme cases an appeal should be given to a higher tribunal. As to the complaint of the hon. and learned Member, that the power of selecting Juries was given to the Magistrates, that was only following the plan of the Bill he eulogized as being in operation in this country.

Mr. *O'Connell* said, the hon. and learned Member could not have read either the Irish or English Jury Bill, when he made that assertion. The law with respect to England was according to the 41st section of the Act, that the names of a certain number of persons of the rank of Esquire, or who, being merchants, were qualified to act as Special Juries, were formed into a List as a matter of course, and this was reduced at the alternate pleasure of the two parties to suit the plaintiff and defendant, and out of the reduced number the Jury was chosen by Ballot. Now what was the proposed Irish law but this? The Lists being furnished by the proper Officer, the Magistrate affixed the letter X to such names as he thought fit to nominate, and consequently political partizans, or dependants of the Magistrate, might be placed on the panel: this plan was an outrage on common sense, and never could be tolerated.

Mr. *Crampton* said, the Irish Bill was based upon that of England, although there might be some difference in the superstructure and working of the measure, on account of the difficulty of finding persons of the qualification of Squires and merchants in some parts of Ireland; therefore power was given to Magistrates to select persons of a lower station in life.

Mr. *Ruthven* objected to the Bill on the same ground as the hon. and learned member for Kerry; he disapproved of the power given to Magistrates to select Special Juries, because he knew that in many instances, they were strong political partizans, and they might use the authority vested in them for selecting the Juror most invidiously. At the same time he was aware that the present law required amendment, for he had heard of Sheriffs who boasted that they could select a Jury to suit the cause to be tried.

Mr. *James Grattan* said, it was notorious that, by the existing law Juries were frequently packed, and he feared the proposed alteration would not remedy that defect.

Mr. *O'Connell* in moving that the petition be printed, would only call the attention of the House to the following words of the Bill, "when the List of Persons shall have been so made out, the presiding Magistrate shall affix the letter X." He thought that gave the power of nomination to the Magistrate, and he believed there was no such provision in the English Bill.

Sir *Edward Sugden* merely wished to say, that he took the same view of the case as the hon. and learned member for Kerry.

Mr. *Leader* said, there had been such instances of packed Juries in Kilkenny as had created very strong feelings of hostility against the present law, and he did not anticipate much improvement in its workings by the proposed alteration. In England the Overseers of the poor returned a List of persons to the Magistrates supposed by them to possess the necessary qualification, the Justices had undoubtedly the power to examine the Overseer as to the correctness of his List This office was, therefore, only Ministerial, and there was all the difference in the world between inquiring into a qualification and branding a Juror by an arbitrary mark. The Common-law of the two countries was the same, and the Statute-law ought to be similar, and the practice of striking Special Juries, from which England had received so much benefit, ought to be fully extended to Ireland.

The *Attorney General* said, he did not see the objection to giving the power to Magistrates so strongly as other hon. Members; if they improperly corrected the List of Jurors, they would be amenable to the Court of King's Bench. He was ready to allow, that it would be difficult to prove a case against them; but he thought the chance of a Magistrate striking a name off a List or leaving one upon it on account of some particular cause in which he was interested, was very remote, and it must be further recollected that the List would not be made up for some particular occasion, but for the county generally, and for the whole year.

Mr. *Lefroy* said, the Magistrates of Ireland had been much maligned during the discussion, if the power of selecting Jurors could not be intrusted to them, it was in vain to seek for a purer source. With regard to the particular question raised by this petition, he was well convinced, and he knew the same opinion was entertained by some of the highest law authorities in Ireland, that the proposed alteration could not be an improvement in the impartial administration of justice.

Petition to be printed.

FOREIGN AFFAIRS.] Viscount *Palmerston*, seeing the hon. Baronet opposite in his place, wished to ask him a question respecting a Motion of which the hon. Baronet had given notice. That Motion had been postponed to a certain day; he wished to know whether the hon. Baronet meant to bring it on upon that day, or whether he intended further to postpone it?

Sir *Richard Vyvyan* said, that when he first postponed his Motion, he stated, that he should again postpone it before the day mentioned as the period of his first postponement, the ratification by the three Powers of the Treaty of Belgium not having arrived. Having thus answered the question of the noble Lord, he should wish to put a question to the noble Lord; the object of which was, to inquire when the ratification of that treaty was expected to arrive? He should like to put another question to the noble Lord. There were reports that an expedition was in the course of fitting out at one of the ports of France; the expedition it was said, was destined for the shores of Italy, and the particular places designated were Civita Vecchia, and Ancona. He wished to know if these reports were true, for it did seem to him, that if they were, the amount of French interference in the ports of the Mediterranean was becoming too extensive?

Viscount *Palmerston* observed, that he certainly could not say, that he had any reason to expect that the ratification by the three Powers of the Treaty of Belgium was likely to arrive before the 28th of this month. Indeed he thought there would hardly be time for it to arrive before that period. With respect to the second question of the hon. Baronet, he could only state, that the Government had received information that preparations for sending a small detachment of troops were in progress at a port of France, and that these troops were to be sent to the coast of Italy, but he did not know to what particular part of Italy they were to be sent.

Sir *Richard Vyvyan* wished particularly to know, whether the noble Lord understood that Civita Vecchia or Ancona was the place intended to receive these troops?

Viscount *Palmerston* could not take on himself to answer as to what were the intentions of other governments.

Sir *R. Vyvyan*, after the little satisfaction he had obtained from the noble Lord, could not say anything positively about postponing his notice.

Lord *Palmerston* had given all the answer he could—namely, that he had no information, and that he could not answer for the intentions of other governments.

Mr. *Ruthven* was anxious to know from the noble Lord, whether any information had reached Government respecting the choice of a sovereign for Greece.

Lord *Palmerston* said, that negotiations were going on, and he hoped they would terminate to the satisfaction of the country on the subject alluded to by the hon. Member.

An *Hon. Member* begged to inquire whether it was the intention of Government to lay on the Table of the House any information respecting the affair in which Mr. Boyd had lost his life by order of the Spanish government?

Viscount *Palmerston* said, certainly there was no intention on the part of Ministers, to place any papers on that subject before the House; but if any hon. Member should think proper to move for the production of any information which Government might possess, it was competen for him to do so.

MASTER OF THE ROLLS (IRELAND).] Mr. Knight moved the Order of the Day for the House to resolve itself into Committee on the Master of the Rolls (Ireland) Bill.

On the question, that the Speaker leave the Chair—

Mr. *Stanley* apologized to the House for offering himself to its attention, on a question which involved points of law, upon which he was not competent to speak. He should not have addressed the House had not his hon. and learned friend (Mr. Crampton) been debarred from taking any part in this debate. He had therefore been requested by his noble friend, the Chancellor for Ireland, to state the case in his behalf, inasmuch as the Bill now before the House interfered, in a very unjust and unprecedented manner, with rights he was undoubtedly entitled to exercise. He begged leave, however, to say, that if he had not been convinced, that right and justice were on the side of his noble friend no consideration of personal regard would have induced him to take any part in the discussion of a question, on the merits of which he must, at best, be but ill-informed. He would call the attention of the House to the manner in which this Bill had been brought forward, and to the Representations contained in its preamble, and he hoped that he should be able to induce hon. Members to come to the opinion that this Bill ought not to proceed any further. The first statement made in it was, that there was a conflicting claim of right between the Lord Chancellor and the Master of the Rolls, in Ireland, with regard to the nomination of a certain officer. This mode of stating the question placed these two parties on grounds of perfect equality, as if there were no difference in their positions, as if the matter were altogether doubtful and unsettled, and that, therefore, the interference of Parliament had become necessary. This was so far from being the case, that there had been solemn legal decisions upon it; and, according to the analogy of the practice in other cases, the right undoubtedly rested with the Lord Chancellor. In no single instance, as the Master of the Roll's Court was formed at present had he ever exercised that patronage which he now claimed. Neither had the Lord Chancellor ever ceased to exercise that patronage. In the year 1800, upon the occasion of the Union between England and Ireland, a Bill was introduced to give to the Court of the Master of the Rolls a judicial character, which it had not previously possessed in Ireland, placing it on a similar footing with the Court of the Master of the Rolls in England—so as to constitute that officer, in the words of the Act, "an assistant of the Lord Chancellor." The only circumstance on which the claim now asserted, on behalf of the Master of the Rolls, could be founded was, that in the year 1800, a compensation was granted to the Chancellor's then Secretary, in consideration of the appointment of the new Court, which would materially diminish the receipts of his office. Mr. Dwyer, at that time held the office of the Lord Chancellor's Secretary; and his support of the Union was considered essential. His was an office of considerable influence, and it was an object to turn that influence into the same channel with other influence. That Gentleman then received compensation for the appointment of a Secretary to the Master of the Rolls. Notwithstanding this, however, no Gentleman was appointed to the office. Mr. Dwyer continuing to perform its duties, and receiving the compensation for having lost it at the same time. In 1806, Mr. Curran succeeding to be Master of the Rolls he appointed another Gentleman, but, by an order made by the then Lord Chancellor, the appointment was, in fact and practice, reserved to the Lord Chancellor. The order then made precluded the Secretary of the Master of the Rolls, from having any duties to perform. The Lord Chancellor's power of nomination continued undisputed up to 1827. The present Master of the Rolls, who now claimed this appointment as a matter of right and proposed to establish it by reversing the decisions of two successive Lord Chancellors, —and the enactments of a statute passed in 1822—set up no claim till 1826. He was aware that the Master of the Rolls had a feeling of delicacy with respect to Lord Manners, the then Lord Chancellor, and was unwilling to interfere with what that officer considered to be part of his vested rights. He did not dispute or impugn the existence of this feeling of delicacy, but a person in an official situation, thinking himself entitled to patronage exercised by another, could have taken no course so delicate and proper as that of calling the attention of Government and of Parliament to the subject—with a view to have the general question settled for the future;

more particularly as the order under which Lord Manners exercised that patronage was not an order of his own, but of the Chancellor who preceded him; so that he had no personal feeling in the question. But the Master of the Rolls, who entered office in 1814, had many opportunities of agitating this question before 1827? In 1815, for example, a bill was introduced to regulate the office of Master of the Rolls in Ireland. By that the appointment of the Six Clerks was vested in the Master of the Rolls; and other regulations were made, with respect to his patronage, which gave him an excellent opportunity of raising this question. In 1816, a Commission was appointed to examine into the offices of the Court of Chancery in Ireland; and on the 16th of December 1816, the Commissioners made a Report. They examined, first, into the Master of the Rolls' Court, and stated the salary provided for that officer; and that there was no other emolument, but the salary, from that situation. In order that no mistake might arise as to the meaning of the word "emolument," they went into his patronage, specifying every part of it distinctly; but they did not mention the appointment of a Secretary. The Report, in speaking of the Lord Chancellor's office, gave an account also of his Lordship's patronage. In that account it distinctly appeared that the Chancellor's Secretary was the person, whose privilege and emolument it was, to perform all those duties which the Master of the Rolls said that a Secretary to be appointed by him—but who never had been appointed by him—ought to perform. Did this Report take the Master of the Rolls by surprise? Certainly not; for in his letter to the right hon. Baronet opposite (Sir Robert Peel), he said, with reference to the draft of a letter he had to prepare, containing the suggestions of the Lord Chancellor and himself, on the salaries and fees attached to the different offices in the Court of Chancery, that he had devoted the long vacation of 1817 to an investigation of those salaries and fees. He then stated what were the fees and salaries of the offices, the appointment of which he claimed to be vested in himself as of right, and he made no mention of his Secretary. In consequence of the suggestions made by the Master of the Rolls and the Lord Chancellor, for the regulation of all the offices in their respective Courts, the Act of 4 George 4th was passed. That Act fixed the salary of the Lord Chancellor's Secretary, and it was fixed partly with reference to the duties the Master of the Rolls now wished to take from him. He was bound to suppose, then, that this subject did not escape the attention of the Master of the Rolls, and if it did not, there was no consideration of delicacy to prevent his stating his claim to the Commissioners of Judicial Inquiry. He had the highest respect for the present Master of the Rolls, and meant not to blame him; but he must state to the House one fact with regard to the Deputy Keeper of the Rolls. When the Master of the Rolls came into office, he appointed a gentleman to act as Deputy Keeper of the Rolls. There was, however, a gentleman before in possession of this post, who argued that it was a permanent office, and that the person who held it was not removable at the pleasure of every Master of the Rolls. But the Master of the Rolls contested that point, on the ground that as it was the only office to which he was entitled to nominate, it was essential that his patronage in respect of it should be undisputed. Having thus succeeded in ousting the former holder of the office, the Master of the Rolls, in the regulations of the Act of 1823, had it provided, that the gentleman who thus displaced his predecessor, should not himself be liable to removal. Without blaming the Master of the Rolls, it was clear this was not the act of a man who was paying no attention to what he conceived to be his rights as to privileges and patronage attached to his office. In a part of the bill, it was stated, that doubts had arisen whether an Act passed in the 4 George 4th might not be so construed as to prejudice or affect the right claimed by the Master of the Rolls. The Master of the Rolls came into office in 1814; opportunities arose for his claiming the right in 1815, in 1816, and subsequently; and yet now an Act was to be passed, to remove doubts as to the construction of an Act of 1823, affecting a claim not made till 1827? Before the House sanctioned such a bill, introduced in so extraordinary a manner, it should be satisfied that a *primâ facie* case of right had been made out, for they would have to pass it in the face of two solemn decisions of different Lord Chancellors, and in the face of an Act of Parliament, subsequently amended by another Act, and in both of which the Master of the Rolls was concerned. He maintained that it would be unjust to the gentleman who filled the office of Secretary to the Lord Chancellor, whose salary was fixed on the supposition that he held a certain office, if the Master of the Rolls were to appoint another person to perform a portion of the duties of his office, and receive the fees. It was contended that, according to the analogy of the practice in England, the Master of the Rolls in Ireland ought to appoint his own Secretary; but he entreated hon. Members not to be misled by the analogy of names, for there was no other analogy between the Courts in England and in Ireland. According to the practice of the Court of Chancery in England, petitions, in the first instance, went to the Secretaries of the Lord Chancellor and the Master of the Rolls respectively; but, in Ireland, the practice of the Court was different. In Ireland, there was no such previous petition as existed in England, and the duty performed by the Secretary of the Master of the Rolls in Ireland was nothing more than that which was performed by the Deputy Registrar in the Court of Chancery in England; and he was an officer, not appointed by the Master of the Rolls, but by the Crown. So far as the case rested upon analogy, therefore, it fell to the ground, and the claim was no more warranted by presumed similarity than it was by law and practice. He did not say, that the practice should not be altered, if it were an improper one; but no arguments could be adduced either of a prescriptive right or a right founded on the analogy of the practice in England, in favour of the Master of the Rolls ,which ought to induce the House to reverse two solemn adjudications of the Court of Chancery, and the provisions of two Acts of Parliament. [Mr. *O'Connell:* Two orders of Court were made]. An order of Court was made by Mr. Ponsonby in 1806, which was confirmed by Sir Anthony Hart, after a lengthened argument and laborious consideration in 1827; and Acts were passed, in the interval, confirming the rights of the present Lord Chancellor's Secretary. These were solemn decisions of the Court. Whatever ground, then, there might be for regulating the office in future, there were none to warrant so extraordinary an *ex post facto* proceeding as that of depriving a man, by a legislative enactment, of a long enjoyed right for the purpose of transferring it to another. He moved, that the Bill be committed that day six months.

Mr. *James L. Knight* thought, that if it was the intention of the right hon. Gentleman to do that which was right and just, he would not have opposed a Bill, the only purpose of which was to enable the Master of the Rolls to try the question in dispute between him and the Lord Chancellor of Ireland, in a Court of Law —a course which he was at present precluded from adopting in consequence of the Lord Chancellor having exercised that power which was vested in him, and excluded his adversary from availing himself of that mode of settling the dispute. In his opinion, there were sufficient grounds to justify the House in passing the present Bill. The Master of the Rolls claimed the right of appointing his own Secretary; but the Chancellor, at present exercised the power of the appointment, and the Master of the Rolls had no remedy. The right of the Chancellor to appoint the Secretary was not such an old right as the right hon. Gentleman seemed to imagine. The office itself had not existed a century. The fact was, that, up to the year 1733, there did not appear in the business of the Court a reason for the appointment of such an officer; but at that time his office was found to be necessary, and he was then, for the first time, appointed. At the time of the Union with Ireland, an Act of Parliament was passed reviving the judicial functions of the Master of the Rolls in Ireland, which had for some time previous been in abeyance. In June, 1801, after the passing of that Act, the then Master of the Rolls exercised the right of appointing his Secretary; and though the Secretary to the Chancellor claimed and received compensation on the ground that that appointment interfered with his emoluments, yet a distinct recognition was made by Parliament by the very allowance of that compensation, of the Master of the Rolls's right to appoint his Secretary. In 1806, Mr. Curran was appointed Master of the Rolls, but the Lord Chancellor (Lord Ponsonby) prevented him from appointing a Secretary, by making an order that no petition should be received in his Court unless signed by his (the Lord Chancellor's) Secretary. Mr. Curran gave way, and chose rather to forego his right than enter into litigation with the Lord Chancellor, who was his personal and political friend. In 1814, the present Master of the Rolls received his appointment; and though he did not claim his right while the then

Lord Chancellor remained in office, from the same motives of friendship which had induced Mr. Curran to forego his rights; yet, in 1826, when Lord Manners retired, the Master of the Rolls immediately claimed the right to appoint his Secretary; and the question was decided by Sir Anthony Hart, in the same manner as it had previously been decided by the Lord Chancellor in 1806. The right hon. Gentleman opposite said, that this question had been twice solemnly adjudicated upon; but he begged to inform the right hon. Gentleman, that so far from the matter having undergone any solemn investigation, the two orders in Chancery to which he had alluded were issued without a hearing of the case having previously taken place. The dispute still existed, and he saw no means of settling it in any ordinary manner. The Lord Chancellor refused to submit to any other decision than his own order, which did not seem to be an impartial method of settling the business. The present Bill, therefore, was brought in to enable the Master of the Rolls to try the question before some other Judge than his own adversary; and he thought that the House could not, without forfeiting all character for common justice, refuse to entertain it.

Mr. *Crampton* contended, that no case had been made out to justify the House in agreeing to the Bill now under discussion. By the 41st George 3rd, which was passed on occasion of the Union of Ireland, the whole foundation on which the Rolls Court in Ireland was to rest was regulated; and by no part of that Statute was any authority given to the Master of the Rolls to appoint an official Secretary. Nor did it appear, that Parliament had, by an oversight, omitted to take into consideration what assistance the Master of the Rolls might want; because by that very Act, which he had just mentioned, the appointment of the Deputy Keeper of the Rolls was expressly given to that Judge. A most extraordinary reason had been given, by the hon. and learned Gentleman opposite, why the Master of the Rolls had allowed his claim to lie dormant until the retirement of Lord Manners—viz. the close political and private intimacy which had subsisted between that learned Judge and the noble Lord. Now, in his opinion, this explanation did not at all improve the case of the Master of the Rolls; for in such matters, which concerned the public, individuals ought not to allow their own private feelings to interfere with the discharge of their duty. If the Master of the Rolls considered he had a right to the appointment of a Secretary, he ought, out of regard to the office, to have taken measures, without delay, to establish it; but he not only took no steps himself to assert his right, but even when called upon by the Commissioners of Inquiry in 1816, he made a Report, in which he stated that there was but one Secretary to the Court of Chancery, and that it was the duty of that Secretary to attend the Lord Chancellor at all times, and the Master of the Rolls when he sat upon petitions, and to endorse his *fiat* on those petitions; yet, notwithstanding this admission of the Master of the Rolls, a Bill was now brought in to enable him to appoint a Secretary to perform that duty which he acknowledged belonged to the Secretary of the Lord Chancellor. On these grounds he would contend, that there was no valid foundation for legislative interference in support of the claim of the Master of the Rolls—a claim put forward upon the strength of mere assertion, and which should least of all be conceded to the Master of the Rolls, as it had been advanced, in contradiction to the history given by himself, in 1816, of the constitution of his Court. There was also another point which demanded the consideration of the House, namely, the Secretary's salary. There were only two modes of paying a new salary to such an officer—one was to grant him new fees, and thus increase the expenses of litigation to all his Majesty's subjects; the other was to pay him out of the fees at present enjoyed by the Lord Chancellor's Secretary. To the former of those modes of payment it did not appear to him that any party in that House was favourable; and to the latter he was sure, that a majority of the House could never be brought to consent, for it was impossible to conceive any proposition more unjust upon the face of it than one which would go to deprive that officer of the fees which he should receive upon *fiats* granted upon petitions.

Mr. *O'Connell* said, that the Government of Ireland sought to place the Irish Lord Chancellor in a very unenviable position. He was placed in the situation of a man who, having the power to arrest the course of justice, used that power, and did arrest the course of justice in his own case. They took care not to allow the right to be tried, and made him decide a case in which he was himself a party. The plain state of the case was this: when a man was heard upon a motion in the Irish Court of Chancery, the fee was 8*s.*; when upon petition, 2*l.* 10*s.*; there would be then a clear saving of 2*l.* 2*s.* to every suitor in the one mode of proceeding as compared with the other; but what did the Lord Chancellor do by his order? He gave an undue preference to the one mode over the other, and when the 2*l.* 10*s.* was to be paid, he decided that it should drop into the purse of his own appointee. They might talk of Reform after that; but the people of Great Britain would judge for themselves. He did not despair, however, that justice would be eventually done in that case, for the force of opinion respecting judicial conduct, could not be resisted. He would present the question to the Government in this form: Did they think it decent or becoming to assist the Lord Chancellor in preventing the trial of a question of right, in which he was himself concerned, and had a direct interest? What would be thought of such a proceeding in Ireland? What would be the opinion of the Irish public, if they conceived that any Judge, much less that Judge who was styled the Keeper of the Royal conscience, interposed a bar between the trial of a question, for the purpose of putting money in the pocket of a Secretary, a brother-in-law, or any one else? What would they think, if the Chancellor were pronounced capable of countenancing such a line of conduct? But he (Mr. O'Connell) was convinced that it would be the grossest calumny against Lord Plunkett to assert, that he was at the bottom of this business. It was altogether a monstrous proceeding, and whatever might be the influence on one side of the House, it was quite impossible that it should rest as it then stood. The House of Commons, he admitted, was an improper tribunal for the decision of the claim, nor did the Master of the Rolls wish it decided there; but he did desire that his adversary should not, through its instrumentality, render it impossible for him to obtain a decision. Would that House stop the course of justice, and arrest the progress to a decision? This was no party question. The Master of the Rolls was no party man, but an indefatigable, pains-taking Judge, and he (Mr. O'Connell), in expressing his sentiments, disclaimed all political feelings. The order was originally made by Lord Chancellor Ponsonby, who, though a very able man, was not much of a lawyer. In proof of the impartiality with which he mentioned his Lordship, he would state a fact creditable to his liberality—that when he, on coming to office, dismissed the Secretary of the Master of the Rolls, and claimed the right of appointing his own, he allowed the dismissed Secretary 500*l.* a-year out of his own pocket. Without wishing to attach any undue importance to his own judgment, he (Mr. O'Connell) would, as a Member of Parliament, and a lawyer, declare his conscientious and deliberate opinion that with the Master of the Rolls lay the right of appointing his Secretary. A majority of that House might sanction a different conclusion; but a majority of the British nation would not be found to follow in a path so unworthy of the English character. He must say, that it was doing great discredit to the Lord Chancellor of Ireland to mix his name up with a matter of this kind. It had been alleged by the opponents of the Bill, that it would go to alter existing Acts of Parliament; but if they would give them an opportunity of going into Committee on that Bill, he should soon show them that it affected no existing Acts of Parliament. He would beg to present the question to them in another point of view. Suppose a bill were filed in Chancery for the purpose of recovering possession of an acre of land—suppose the man in possession raised a temporary bar of a legal, a strictly legal kind, for the purpose of defeating the equitable claim of the plaintiff—what would the Lord Chancellor of Ireland in such a case say? Would he not at once declare, that the first and chief duty of his office was to remove all temporary bars that were raised in the way of immediate and substantial justice? He would appeal, then, from the Secretary for Ireland to the Lord Chancellor for Ireland—from the Advocate in that House to the Judge on the Bench—the latter of which personages, as especially became him in the exercise of his high functions, would, he was sure, indignantly sweep away all the impediments that might interfere with the clear and straight-forward course of justice. He must remind the House of the doctrine of that old constitutional lawyer, Lord Coke, that for a man to be in any shape or degree as Judge in any cause in which he had an interest, was the most mischievous and dangerous that could be imagined, and that even if an Act of Parliament gave him such a privilege, it was void from its very absurdity.

The *Attorney General* took a very different view of this case from the hon. and learned Gentleman who had preceded him. The object of the present Lord Chancellor of Ireland was, to prevent the legal rights of his office from being infringed upon. That he had no private pecuniary interests to promote, was evident from the fact that this order had not been issued by Lord Chancellor Plunkett, but by Lord Chancellor Ponsonby, whom the hon. and learned member for Kerry had justly eulogized as one of the best and most disinterested of men. When it was said, that this was a case in which a Lord Chancellor was endeavouring to decide upon his own case, and to promote a pecuniary interest of his own, he (the Attorney General) must be permitted to remind the House that this was a case of pecuniary interest on both sides, and, moreover, that on the part of the Master of the Rolls, it was a pecuniary interest which he had first mooted in 1826, after allowing it to lie dormant from 1814. When, too, it was said, that the Lord Chancellor of Ireland was deciding this right in his own favour, by not allowing this Bill to be discussed, he was compelled to remind the House that the present Master of the Rolls in Ireland had also decided the right in his own favour, by insisting on his right to appoint the Secretary to his Court. His hon. and learned friend, the Solicitor General for Ireland, had never said, that the office of the Master of the Rolls was a new office; all that he had said was, that it was first made an efficient office in the administration of justice in the year 1801. Sir M. Smith was then appointed to the office which he held, till the appointment of Mr. Curran. There was no evidence as to who had made out the decrees of that Court previous to that time, or as to what compensation had been received for making them out. The office of Secretary to the Master of the Rolls, supposing such office to have ever been previously in existence, was only revived in the present century, and out of that revival all the present difficulty had arisen. The Master of the Rolls must, therefore, have frequently surrendered his right to this appointment; and why he had now revived it, he (the Attorney General) could not conceive. In the year 1806, Mr. Curran, who was then Master of the Rolls, was told that he had not the right of appointing to this office. He would not press the question as it stood between Mr. Curran and Lord Chancellor Ponsonby, on account of the private friendship which for some time existed between them. Mr. Curran, however, did not claim his right whilst Mr. Ponsonby was Lord Chancellor. But when Mr. Ponsonby retired from office, there was no reason why the same feelings which had actuated him towards Mr. Ponsonby, should actuate him towards Mr. Ponsonby's successor, Lord Chancellor Manners. On the contrary, as every man in eminent station had others dependent upon him, whose interests he was bound to advance, Mr. Curran must have had many persons around him interested in calling upon him to exercise his right of appointing a Secretary, supposing that he had been of opinion that such right was vested in his office. Mr. Curran remained Master of the Rolls from the year 1807 to the year 1814, and during all that time he had never put forward any such claim as was now put forward by Sir William Macmahon. If there was any right to this claim in the year 1832, the same right must have existed in the year 1807, and Mr. Curran must have had the same right to try it then as Sir William Macmahon had to try it now. But Mr. Curran never had tried it, and therefore he inferred that Mr. Curran must have been aware that there were good reasons why he should not come forward and attempt to exercise this alleged right. In the year 1814, Sir William Macmahon was appointed Master of the Rolls, Lord Manners being then Chancellor; and it was now said, that the reason why Sir William Macmahon had not then claimed to exercise his right was, because his friend, Lord Manners, was the individual who held the Seals. But how long, he would ask, was this plea of friendship to hold? He had himself no doubt that Sir William Macmahon would at that time have appointed a Secretary to his Court, had he not been fully impressed with the idea that he had no right to make any such appointment. Indeed, that right hon. Judge was bound in duty to his successors to have tried that right, supposing him to have been convinced of its existence. What took place in the year 1815 afforded a strong proof to the same effect. In that year an Act was passed to regulate the offices and fees of his Court. Now, was it possible to suppose that, under such circumstances, no communication would have been made between the Lord Chancellor of Ireland and the Master of the Rolls, unless both had supposed that the present state of things was the legal state of things? It had been stated by the present Master of the Rolls, that in the year 1816, the Lord Chancellor and himself had entered into a joint examination not only of the constitution of their respective Courts, but also of the duties which their officers had to perform, and of the fees which their officers received for the performance of them. Was it possible to suppose that, after looking over these offices, the Master of the Rolls could have said to the Lord Chancellor, "Here is an important appointment in my Court which you now fill up, but which I claim the right of filling up, and for want of which I am compelled to draw up my decrees myself;" or, that, if he had said so, the Lord Chancellor would have replied, "Never mind it, we are very good friends, we will say nothing on the point at present?" He, therefore, was obliged to conclude, that at that time the Master of the Rolls had decided against the validity of his present claim. Again, in 1824, the 5th of George 4th passed. That Act recites, that the Ministerial offices of the Court of Chancery in Ireland require regulating, and that that, in some instances, might be effected by an order of the Court, though in others the interference of Parliament was requisite. If at this time the Master of the Rolls had made good his claim, one line in this Act would have settled the whole; and yet the Act was passed without any notice of the question being taken by the Master of the Rolls. But that very Act did still more; for it regulated the fees to be received by limiting the Secretary of the Lord Chancellor to certain fees; so that, if it were now decided that the Master of the Rolls had the right of appointing this Secretary, the fees that this new officer might demand would be unlimited, as no provision was made for them in the Act; but on the Act passing, there had not been even so much as a reservation of the right. In 1827, it was true, that a reservation had been made; but then a different state of things was in existence. The Lord Chancellor Hart heard this claim, at the request of the Master of the Rolls; and the Solicitor General of Ireland appeared as counsel for Sir William Macmahon. The arguments on the question lasted five days; and the Lord Chancellor was of opinion that the Master of the Rolls was not possessed of the right which he claimed. He (the Attorney General) did not at all mean to say that it was desirable for a Judge to decide in his own cause; but, nevertheless, he could feel that cases might arise (and this was one of them) where such a duty necessarily devolved on the Judge; and it was his firm belief, that if there had been anything like doubt in the case, Lord Chancellor Hart would have given it against himself, rather than in his own favour. But shortly after this, Lord Plunkett succeeded to the office; and then, for the first time, they heard of such a Bill as this in the House of Commons—a Bill for which he was not aware that there was anything like a precedent. It, however, seemed to be supposed by some hon. Gentlemen, that if a Judge required a Secretary to make out his orders, the power of appointing that Secretary was necessarily vested in that Judge. But such was not the case; for in the Courts of England many officers were employed who were appointed by the Crown, or other parties, not being the Judges of those Courts. But if the position thus set up by hon. Gentlemen was correct, it necessarily followed that the interference of the Lord Chancellor in the appointment was illegal; and by the law of England, wherever there was anything illegal, there was a legal remedy for it; and he, therefore, thought, that it was a little extraordinary to be called on to pass an Act for such a purpose, that should have reference to one individual case. But if, on the other hand, the Lord Chancellor had a right to appoint this officer, then it would be a strange interference on the part of that House to give the right to another person who had himself over and over again decided that he had no such privilege. It would be little less than weakness for the Lord Chancellor to sacrifice the public duty that belonged to him of controlling the officers of the Court of Chancery, from a fear of personal imputation being thrown out against him. He was quite aware of the maxim which had been quoted of Lord Coke—that even an Act of Parliament would be void that required a man to judge his own cause; and he acquiesced in the soundness of that maxim. But that was not a proposition parallel with the present instance. In this case the matter was altogether incidental to the particular office, and referred not to the person, but to the Court over which that person presided. The hon. and learned Gentleman had referred to the case of a disputed possession of an acre of land; but he (the Attorney General) would say, that if the possession of that acre could be shown, by long holding, to be in one man, the Court of Chancery would not interfere to destroy that possession. That was as clear a case as any case arising out of the Statute of Limitations. This seemed to him to be a personal Bill altogether; and he, therefore, could not admit the justice of it; it was equal, in other words, to saying—here is a petition, and we will, therefore, frame a Bill by which the petitioner shall obtain all that he is asking. If Parliament chose to say, that no Judge of a Court ought to have the power of appointing any officer at all, there was something in that which he could understand; but the present Bill proceeded on no such grounds. In the first place, he contended that the decision complained of was not the decision of Lord Plunkett, but of previous Lord Chancellors; and, in the second place, he contended that this appointment had long been acquiesced in by the present Master of the Rolls, as well as Mr. Curran; and he thought that on these grounds, Sir William Macmahon had not entitled himself to a peculiar interposition in his favour. He had not made out a case sufficiently clear to convince hon. Gentlemen that the decision of former Lord Chancellors ought to be set aside; and, under such circumstances as these, to interfere in a particular case, and to make a particular law, would be establishing a precedent exceedingly dangerous and objectionable.

Sir *Robert Peel:* There may be some advantage in breaking the tenor of this debate which has hitherto proceeded from one professional Gentleman to another in uninterrupted succession; and I, therefore, take the liberty of offering myself to the House for a few minutes, more especially, as I think the question lies in an exceedingly small compass, and that a long series of legal arguments only tends to embarrass it. I, therefore, being an unlearned and an untechnical person, shall beg leave to address myself to that portion of the House which, I dare say, is but little disposed to enter into the abstruseness and technical nicety of the legal part of the question. In the first place, I beg to say, that I differ from the hon. and learned member for Kerry; for, till I shall hear the fact announced from the Chair, I will never believe that a majority of this House will consent to stifle the Bill thus early, without even allowing its clauses to be examined in a Committee. I know, that there is in this House a general disposition among Members to act with their party, and it is right that it should be so; for no party could exist unless its members were willing to sacrifice their individual opinions on minor details, for the purpose of combining together the more efficiently. But, Sir, I have had some experience of the House of Commons; and, on a question of mere individual justice, I have rarely witnessed the interference of political or party feeling; and I, therefore, feel satisfied, that, in the present case, Members will be guided in their votes by a sense of justice alone. The whole of the argument of the hon. and learned Gentleman opposite seems to me to have been built on the hypothesis that the Master of the Rolls has been guilty of negligence in not having claimed this right before, and that, therefore, we ought to punish him by refusing him his right now. But I, as a Member of Parliament, have nothing to do with the negligence of Sir William Macmahon, even if it be proved. If he has been negligent, let him be punished, if you please; but I contend that this is a matter of principle, and that we have no right to let the negligence of the individual holder of an office militate to the prejudice of the office. I cannot conceive a more dangerous principle to act upon than that laid down by the hon. and learned Gentleman; for if once admitted, it would immediately open the door to all sorts of collusion. Our duty is to look to the constitution of the office: and the public objects for which it was established. It has been asked whether the House of Commons will undertake to decide between adverse claims; for the Attorney General says, that we are called upon by this Bill to adjudicate this question. No such thing. All that we shall do by this Bill will be to give the adjudication of the question to an impartial tribunal. The hon. and learned Gentleman has endeavoured to illustrate his argument by saying, that if a man was in possession of an acre of land for twenty years, the Court of Chancery would not interfere to deprive him of that possession. Very true. But here is one of the claimants to the acre that decides in favour of his own claim, and will permit no appeal from his own decison; and all that we want to do by this Bill is, to remove so monstrous an injustice. The hon. and learned Gentleman has told us, that there is no legal right in this country without a remedy. But we say, in answer—here is a legal right without its remedy; for an action for fees will not lie; and, by the Lord Chancellor, a bar has been placed to the trial of the question by a fair tribunal. Sir William Macmahon has taken the highest legal opinions, and they all concur in saying, that no trial can be had as the law stands at present. After this, I ask, will the hon. and learned Gentleman consent to stifle a Bill which proposes a remedy for a wrong, and thus exemplifies and carries into effect the very doctrine that he himself has propounded. And now let me request all those who are ready to forget political feeling on this occasion, to consider what is the object of the present Bill? The whole of that object is, that this question may be tried before an impartial tribunal. Is that just, or is it not? Is there a sufficiently strong *primâ facie* case set forth to make this demand a just one? If I do not prove to the satisfaction of every one, that there is such a *primâ facie* case made out, I can only say, that I shall be more disappointed in the result of this argument than ever I was in my life. When this question was originally brought before the House by my hon. and much lamented friend, the late Mr. North, long before Government took any part in it—long before any heat or warmth on either side was displayed—several hon. Gentlemen took part in the discussion, and every one agreed that this House was bound to facilitate the decision of this question before a fair and unobjectionable tribunal. From the list of Gentlemen who spoke on that occasion, I will select a few names; and I will take on myself to say, that if it were intended to refer the matter to arbitration, not one of those names could be objected to as arbitrators. I find among the speakers on that occasion, the names of the present Solicitor General for Ireland, who said, "With respect to Lord Plunkett, he would not take on himself to say what would be his decision on the case, should it come under his notice; but, at all events, he might remark, that the Lord Chancellor had no power of his own to reverse the decision, till it was legally brought before him by one of the parties in the shape of a re-hearing, and that had not been done; so that, at present, of course the two previous judicial orders of Lord Ponsonby and Sir Anthony Hart, remained as they did.*" I find, also, the hon. member for Stafford (Mr. John Campbell), whose opinion was, that, from the character of the noble Lord who was now Lord Chancellor for Ireland, he would at once yield the point without carrying the case to trial. Mr. Cutlar Fergusson said, on that occasion, "For his own part, he had formed a decided opinion upon the merits of the case, and he was bound to say, he had not a doubt that the Master of the Rolls, as the independent Judge of an independent Court, ought to appoint his own Secretary. The present state of things, by which he was deprived of that right, ought to endure no longer." And Mr. Serjeant Wilde said, that "he hoped that the present Lord Chancellor would co-operate with the Master of the Rolls to have this question investigated. He was, however, strongly inclined to believe, that the right of appointment rested with the Master of the Rolls." I believe it is not irregular to allude to those Gentlemen by name, as the debate has now become a matter of history. The opinion of all these four Gentlemen was unanimous that inquiry ought to take place, and that the decision of the question ought to be referred to a competent tribunal. But I do not ask the House to act fully up to the principle laid down by these hon. and learned Gentlemen; I only ask, that, as there are great doubts as to the right, that it will permit the matter to go before a competent tribunal. The question now is, that this Bill should be examined in Committee—at all events, let it go there,—let alterations be made in it, if you please—let care be taken that there is not the slightest word inserted to favour or prejudice the claim of either party; but do not stifle a Bill that has only justice for its object. In the simplest matters care is taken by the law that a Magistrate shall not be judge in his own cause; and there is a peculiar necessity for this salutary precaution in that country of which

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* Hansard's Parl. Debates, vol. vii. p. 95.

Lord Plunkett is the Lord Chancellor. But if it is right that the Magistrates should be thus checked, let him who has the selection and the superintendence of those Magistrates, be enabled by this Bill to assume that high tone which he ought to assume. The duty of his great trust is to control the partial and interested acts of those who have judicial authority, to remove the obstructions to equal justice, to prevent the commission of wrong by men being Judges in their own cause. To empower him to do this with authority and effect, let us remove this impediment to justice, and relieve the Lord Chancellor himself from the painful and invidious task of being a Judge without appeal in his own cause.

Mr. *Spence* was opposed to the Bill, in consequence of what had fallen from the hon. member for Kerry, who had advocated it, and who had stated that the fees, the right of which were contested, were useless to the public, and ought to be abolished. He objected to the Bill on other grounds, and he would ask why one of the two Joint-Secretaries of the present Chancellor of Ireland did not attend the duties required from a Seceretary in the Court of the Master of the Rolls? In the question, he conceived there was a third party interested—he meant the suitors, and he was of opinion, that the House of Commons should never become the arena for the discussion of a question as to whether one or the other of two Judges should be entitled to certain patronage, when it was admitted that the particular patronage was as to fees which were not only useless to suitors, but which ought to be abolished.

Sir *Edward Sugden* differed in what had fallen from his hon. and learned friend opposite. The public would not be benefitted by the view he had taken, because the fees were both properly receiveable and payable. The question was, merely whether the fees so received ought to be divided. Let his hon. and learned friend introduce a bill to reduce or abolish entirely these fees, if he thought proper, but that was not the question before the House. In his opinion there never was a claim so loudly calling for elaborate discussion, or more justly entitled to careful inquiry, than the present, and he would, say that to refuse this Bill would be to do a great injustice. It had been said, that the question had been discussed, and disposed of by Sir Anthony Hart; but that learned Judge was a party to the question, and he would have acted, he thought, more wisely and more to his own credit, on the occasion, if he had called in some of the Judges to sit with him as assessors, in the hearing of the discussion upon the question, than in trying it alone. He thought it but fair to try the right at once, which could be done if the measure now introduced, were passed. It would then be sufficient merely to state the question in dispute between the parties, not conferring any powers upon the Master of the Rolls, and the question would then come before the House of Lords, who alone were competent to try it. With respect to the observation which had been urged, that, if the Bill was allowed to pass, power would be given to the Master of the Rolls to appoint a Secretary whose fees would be unrestricted, he would merely say let the Government introduce a clause into the Bill to limit the fees payable to such an officer.

Mr. *Stanley* begged to say one word in justice to Lord Plunkett. His noble friend had over and over again expressed his willingness to submit the question to any arbitration whatever, provided the Master of the Rolls would go to that arbitration, on a question whch should not involve the removal of the individual who at this moment held the office. His noble friend was quite willing to have the question decided as far as any future appointment of his own, or his successor, or as far as any future appointment of Sir W. Macmahon or his successor should be concerned. This proposition the Master of the Rolls, however, had positively declined.

Sir *Edward Sugden* had never heard this stated before, and he never was more surprised by any statement. The office of Secretary was held during pleasure, and indeed, the fact had appeared that Mr. Long who was Secretary to Lord Chancellor Hart, had been dismissed by Lord Plunkett, but that, on the solicitation of the Chancery Bar of Ireland, and from other circumstances, it was found convenient to continue him in office, jointly, with a relation of the noble Lord, and, out of 3,000*l.* the annual amount of salary, Mr. Long was to receive the sum of 500*l.* From this fact the country and the House would form an opinion. The question to be tried, was one of right, in which no man had a vested interest, and was it, therefore, right or proper for Lord Plunkett to insist upon a right which the persons holding the office did not insist upon themselves? It was too much for the noble Lord to say, "give me all, and try the question as against my successors."

Mr. *Cutlar Fergusson* said, he continued to retain the same opinion that he had formerly expressed, and it was with some pleasure that he had observed the right hon. Secretary rise, as he had hoped that he had done so for the purpose of announcing, on the part of the noble Lord, that there was no objection to this Bill passing into a law. He, therefore, hardly need say, that he had been much disappointed when he heard the right hon. Gentleman announce that the noble Lord held out, on the part of the present Secretary retaining the office. It had been remarked, that no precedent had been found of any petitions being addressed to the Master of the Rolls; he begged to say, the fact was otherwise, for there were no less than 875 petitions addressed to that Judge. He thought it was most extraordinary that the Lord Chancellor of Ireland should insist upon trying this question, or only leaving it to be settled hereafter by arbitration, when he had no interest in it. The question had been amply discussed. It was only whether an independent Judge should have the appointment of his own officer or not. The convenience of the Court, and of the suitors, required that the Master of the Rolls should have the appointment of his own Secretary.

Mr. *Stephenson* said, the only object of the Bill was fees, and fees only. It was to take from those that were entitled to fees under an Act of Parliament, and give those fees to others upon a new authority. The several Judges in England did not appoint their own officers. The whole matter was only a dispute between two Judges in Ireland. The question was, however, already decided by Acts of Parliament. The statute, the 4th of the late King, provided for all the fees that could be legally taken in the Court of Chancery, and declared those fees should be paid to the Chancellor's Secretary, and prohibited, under penalties, their being paid to anybody else. That Act was not passed by the influence of the Lord Chancellor of Ireland, nor was the Master of the Rolls ignorant of it. He defied the hon. Gentleman opposite to produce any instance in which the Secretary to the Master of the Rolls had performed the duties of the Secretary to the Lord Chancellor. If the Master of the Rolls were to appoint a Secretary, he could not take the fees, unless the House put aside the Act of Parliament he had alluded to.

Mr. *Shaw* admitted that this was a question of fees; but he contended that that question had been raised by the Lord Chancellor. The Master of the Rolls was anxious that the issue in dispute should be fairly decided, as would be manifest from the following correspondence which had taken place between the parties since the discussion of the matter last Session.

"*September* 30*th*, 1831.

"Let the order of the Lord Chancellor Hart be made the subject of an appeal to the House of Lords, and all objections to the jurisdiction be waived; and let the appeal be proceeded in as if the order had been pronounced in a case in which Mr. Shaw was plaintiff, and Messrs. Long and M'Causeland defendants; but on this express condition, that any order to be pronounced on such appeal shall in nowise affect the Secretaries of the present Lord Chancellor. If this proposition be not satisfactory to the Master of the Rolls, the Chancellor has no objection to the adoption of any other course of proceeding which the Master of the Rolls may suggest for the trial of the right, subject to the above condition."

To this strange proposal for one legal, much less one judicial, person to make to another, the Master of the Rolls wrote a reply, which he would now read. It was addressed to the right hon. Secretary for Ireland:—

"*Warren's Hotel*, 30 *Sept*. 1831.

"I have just had the honour of receiving your letter of this morning, and most anxiously and willingly accord with the proposition made by Lord Plunkett, that the right should be decided upon in an appeal to the House of Lords from the order of Sir Anthony Hart, of the 13th of December, 1827; and all objections to the jurisdiction waived, by treating it as a proceeding in a cause. But I lament to find that this privilege of having my title decided by an uninterested tribunal, which would appear to me to be *ex debito justitiæ*, is to be only conceded to me on this express condition—"That any order to be pronounced on such appeal shall in nowise affect the Secretaries of the present Lord Chancellor, who will be respondents in the appeal." This condition, permit me to submit for your reconsideration, is not, as it appears to my humble understanding, consistent with the ordinary and established principles of justice; for, as to any objections of vested rights, or surprise in the assertion of title, I conceive that there is no ground for the application of either consideration to sustain such a condition. As to vested rights, it is not the solicitation of a new law to take from the office of the Chancellor rights lawfully belonging to his office: but it is the assertion of title by my appointee, since November, 1827, to recover, by a superior adversary title, a right which belongs to my office (if I have the right), and to which the Lord Chancellor's Secretaries have no right, and the very question to be decided will be, whether my appointee or they have the vested right. With respect to surprise, I have only to refer to my letter to Lord Melbourne, of 3rd December, 1830, which detailed the measures adopted by me from December, 1827, for the reclamation of the rights of my office, and for a remedy to try my title—to my letter to Lord Plunkett, dated 9th December, 1830, enclosing a copy of this letter before his Lordship's appointment—to my letter to Lord Anglesey, enclosing another copy of this letter, and to the formal judicial protest and assertion of title entered in the Register's Office, and made the moment Mr. M'Causeland presented himself to act as Secretary at the Rolls Court, and before he commenced to act (a copy of which I beg to subjoin). As to this condition, very strong objections occur to my mind on the first perusal of it; first, if, by my contract, such a condition were made, neither appellant nor respondent would have any interest in a question of title to be decided; but, by this condition stipulated for, the parties would agree that the decision should be without any other effect than to decide a speculative question of title, without interest to either party, and, as a decision upon this speculative question, it would be wholly vain, for a succeeding Chancellor would have a right to say, that a decision made in a case where, by contract, the respondents had no interest to defend their rights, would not bind, and a succeeding Master of the Rolls, in language not complimentary to my memory, would, perhaps, denounce my act in seeking to have this speculative question decided, while I contracted to exclude myself from interest in the subject. Secondly, I should carry on a litigation contracting that I would not exercise the right and title, if established. And, thirdly, every succeeding Chancellor would, in like manner, say that the question should never be tried with his then Secretary, except upon the same condition; and with the greatest deference for the opinions of yourself and of the two personages named in your letter. I beg leave to express my regret, after having consulted my law friends, that I cannot, either as a Judge or an individual possessing an independent mind, submit to this condition; and that, therefore, I must reluctantly trouble Parliament with the consideration of the subject.'

He had only further to observe upon one circumstance not before adverted to by any hon. Member in the course of the debate—that was, that in the year 1718, as appeared by returns made under the 4 George 1st, the Chancellor himself had no secretary: a record of the existence of such an officer is not extant until 1734. Shortly after that period, licenses of absence were granted to successive Masters of the Rolls down to within a short time before the 1st George 3rd; when the ministration of justice was excepted from the office, and so continued until 1801; so that the usage from 1734 to 1801 could prove nothing in favour of the Lord Chancellor's claim, there having been no need of such an officer as a Secretary to the Master of the Rolls. Then in 1801, upon the appointment of Sir Michael Smith, he named a Secretary, as also did Mr. Curran, when he became Master of the Rolls in 1806, and that being met by the order of Lord Chancellor Ponsonby, the matter so remained until the present Master of the Rolls succeeded to office. He would not now argue whether the Master of the Rolls was right or wrong in yielding to feelings of delicacy, and not pressing his claim while Lord Manners continued to hold the Great Seal of Ireland. However his having once said, that he would not do so, answered all the objections which had been made as to any waiver of his right, on the several occasions which had been alluded to, during the Chancellorship of Lord Manners. He had now only to press upon the House, that the Master of the Rolls having deliberately urged, what he considered as a claim of strict right, he did not call upon the House to decide the question, but to afford him the means of trying it at law, unaffected by the acts of his opponent. He had not submitted his case to Parliament, until he had exhausted every other expedient to procure an impartial trial. The Lord Chancellor was willing that the right should be tried, provided that the pecuniary interests of his appointee, who was named four years after the appointee of the Master of the Rolls, were secured. That proposition could not, of course, be acceded to. He (Mr. Shaw) was, however, ready to consent, on the part of the Master of the Rolls, that the whole question should be left to the decision of any two hon. and learned Gentlemen on the opposite side of the House.

Mr. *Stanley*, after what had been stated, said he felt it necessary to make an observation or two in explanation of the grounds of the noble and learned Lord's conduct, to which such frequent allusion had been made. That noble Lord had been all along ready and willing to refer the question of the right to take these fees to any fair and impartial mode of settlement, whether by means of arbitration or appeal to the House of Lords; but he felt that he could not conscientiously, whilst assenting to arbitrate on the mere and strict question of right, give up the present pecuniary rights of individuals who had been in the habit of receiving for years back those fees. The Lord Chancellor in effect said, "Let the Master of the Rolls bring the question before the House of Lords: to that I accede; but still it is my bounden duty to take care that the interest belonging to the Lord Chancellor and supported by Act of Parliament shall not suffer." To any prospective arrangement I will accede, but to a compromise of the existing interests of any person I will not accede. He thought he was perfectly justified in stating thus much in defence of the noble Lord's motives, after what had transpired during the debate.

Mr. *Hume* expressed his deep concern that the question had not been long since set at rest by some fair mode of adjustment, rather than such an exposure of persons in high official stations should have taken place. The House was bound, after what it had heard, to pass this Bill, nor could he for a moment admit the propriety of allowing a noble and learned Lord to be abetted by his Majesty's Ministers in this scandalous proposal of that noble Lord to consent to an arbitration involving the rights of others, but by the restriction with which the noble Lord accompanied the offer, deciding his own case. It was but too true this was an appeal to the House on the question which of two parties should have the right to fees amounting to somewhere about *500l.* or *600l.* a year, and that Ministers appeared to think it was a fit and proper case on which they should make their stand as a bar in the way of justice. Yes—as far as he could perceive, his Majesty's Ministers now attempted to interpose, and influence the House against passing a Bill which he thought they were bound to support—except they were prepared to be considered the active agents of injustice.

Colonel *Torrens* said the question really was, that the Bill called upon the Parliament to enable two law officers of Ireland to deprive a third party of his right. It was an *ex post facto* law to do injustice to the suitor for the benefit of two persons who disputed about dividing his spoils.

Mr. *John Campbell* thought, that the opinions of the hon. Member who spoke last, were neither professional nor sound. He deplored that this discussion should have arisen, from the reverence he entertained for our institutions, and his respect for the individuals. The offer of Lord Plunkett was wholly unfair, and he regretted that a mode of settling the question had not been found, without bringing it forward in that House. Lord Plunkett made an offer to try the question when his interest in it should have ceased. That was like a man in possession of an estate which was claimed by another man, who said to him, "Oh let your claim lie over till I am dead, and then I will allow the question to be settled by arbitration." The House, he thought, was bound to pass the Bill, and he should give it his support. He was bound to do that as an independent Member of Parliament.

Mr. *Paget* said, he thought it degrading to the character of these two high law officers to permit their disputes to be continued. From all he had heard, he was fully of opinion, that the present Bill was not the Bill which could bring the question to a satisfactory settlement, but that another legislative measure should be introduced of a very different complexion.

Sir *John Bourke* was of the same opinion. The hon. and learned Gentlemen who had taken such an active part in the discussion, only disputed who was to have the fees. They had no consideration whatever for those who were to pay them. They had not attempted to show that the payment of such demands was essential to the administration of justice. Their only object was, to substitute the emoluments and patronage of one law officer to that of another.

Mr. *Goulburn* said, the question involved in the discussion, was, whether one law officer was to usurp the claims of another, and decide in his own behalf.

Mr. *Leader* regretted that two such high judicial officers should have their attention abstracted from the duties of their own Courts, to dispute about the appointment of Secretaries, and the receipt of certain fees. He feared such disagreements would not be put an end to by a decision on the subject, for the heats that had been raised, must have in some degree inflamed each party, and the result might be, that it would be carried into more important matters, and the administration of justice would suffer from the two principal officers in the Court of Chancery having opposing interests. On these accounts he wished to hear nothing more of the Bill, but if some legislative measure was necessary, and he believed it was, he hoped the Government would take higher grounds and legislate for the whole court on the most advantageous terms for the suitors, without regarding the petty interests of the chief functionaries.

Lord *Ingestrie* said, the only way to bring the question fairly to issue was, by going into a Committee, and therefore he felt himself called upon to support the Bill.

Mr. *Henry Grattan* said, he must oppose the Bill, on the grounds that as all previous Lord Chancellors had exercised the privilege, it was unfair to attempt to deprive the present one of what had been enjoyed by his predecessors. He was convinced that the noble Lord (Plunkett) acted with perfect disinterestedness. He had invariably shown the greatest indifference about fees, and preferred preserving his consistency to the emoluments of office. As a proof of which he had accepted his present situation at a reduced salary, and had continued in office the Secretary appointed by his predecessor.

Mr. *Shaw* said, the secret of the latter appointment was, that Mr. Long did the chief part of the work as Secretary, for a salary of 500*l.* a year, while the Lord Chancellor's nominal Secretary, who was his nephew, and a minor, received 2,500*l.*, this was a curious proof of consistency and disinterestedness.

Mr. *Nicholson Calvert*, as one of those who felt it his duty to support the Government, would, of course, support their resistance to the Bill as a Government question.

The House divided on the original Motion: Ayes 84; Noes 88—Majority 4.

General Registry.] Mr. John Campbell moved the Order of the Day for the Second Reading of the General Registry Bill.

Colonel *Maberly* entreated the hon. Member to postpone his Motion for the Second Reading, in order that they might proceed with the Ordnance Estimates.

Mr. *John Campbell* said, the noble Lord (Althorp) had pledged himself to give this day for the consideration of the Bill at the time he (Mr. Campbell) consented to postpone it; and he confessed, that he despaired of proceeding with his Bill during this Session, if he lost the present opportunity. He was anxious, that the Bill might be read a second time, in order that he might move that it be referred to a Select Committee, who would be able to investigate the whole question in all its bearings.

Mr. *Spring Rice* said, the Government would be very unwilling to place any obstacle in the way of a Bill which came before the House in pursuance of the recommendation of the Committee on the Law of Real Property, and he therefore left it in the discretion of the House.

Sir *Charles Wetherell* thought the Bill should be postponed till they got rid of the Reform question; they were too much exhausted to bestow the attention on it which its importance deserved.

Mr. *John Hodgson* said, that many Members were absent who intended to oppose the Bill; and if the hon. Member persevered in his Motion, he would move an adjournment.

Mr. *Cutlar Fergusson* was in favour of the appointment of a Committee, which was the only means, in his opinion, of maturely and fully considering the question in all its bearings.

Mr. *Trevor* said, his constituents had expressed their opinions so strongly against the measure, that he was resolved to oppose the Bill by every means in his power, and in every stage.

Mr. *Strickland* thought the Bill should be postponed, to allow time for further consideration. He was fully convinced the more the measure was known to the public, the more serious would be their objections to its principles.

Mr. *John Wood* observed, that few questions had ever come before the House of which the Members, and indeed the country generally, were so ignorant, as the Act for a general registration. He would mention a curious instance of this ignorance. In a Northern County, which for obvious reasons he would not particularise, a meeting was called lately to petition against the Bill. This meeting was called under the authority of the Lord Lieutenant of the County. He (Mr. Wood) happened to be in the county town on the day appointed for the meeting, and some of the principal requisitionists who were to get up the petition to be agreed on actually sent to him to know if he had a copy of the Bill with him, as not one of those opposed to it had ever seen it or read its provisions? He mentioned this as a specimen of the kind of opposition which interested persons had got up against the measure of his hon. friend. The fact was, that the majority of landed gentlemen were under the dominion of their attornies, and that attornies knew that their profits would be materially diminished if the Bill were passed into a law. Hence their almost universal opposition to it, which they disguised under various other pretences. They alarmed the gentry about the security of their title deeds, and told them, that all their private transactions and family arrangements would be exposed. All these pretences were unfounded, and the landed gentlemen would find, if it was passed, that its result would be greater security for their property, and that they would be able to raise money upon it with more facility than at present. The transfers, and all other measures relating to landed property, would be much reduced in price, and the complicated provision simplified. Where a Commission had been appointed by the Crown to investigate the matter, he thought that the House of Commons ought at least to look at the result of the labours of that Commission, by examining the Bill in a Committee. He therefore most cordially supported the Motion of his hon. and learned friend.

Lord *Robert Grosvenor* did not know how far the hon. and learned member for Preston's charge of ignorance might apply to other Members. For his own part he had perused the Bill, and had endeavoured to understand it. At that time, however, he conceived that it would be highly inconvenient to enter into any discussion upon the general principles of the measure. He trusted, therefore, that the House would confine itself to the question of whether the matter should be referred to a Select Committee. In his own opinion, every inquiry ought to be made before the House came to any final determination upon a matter of so much importance.

Sir *Edward Sugden* thought that, as the whole of the materials were before the House, the question should be discussed there rather than before a Select Committee. The appointment of a Committee would only lead to delay and expense, without extending to the House itself any of the knowledge or information which it so much needed in the consideration of so important a question. Whenever a regular discussion took place, he had no doubt but that he should be able to show that the loss arising from the adoption of such a measure would be much greater than the benefit. At all events he should wish the experiment, if it were to be tried at all, to be tried at first on a small scale.

Mr. *Schonswar* believed that this General Registry Bill was generally unpalatable to the country, and, consequently, he was of opinion, that it ought on no account to be forced upon it. It was absurd to suppose that people were not well acquainted with their own interests, therefore, he should prefer a full and free discussion, upon the second reading of the Bill, to the referring of it to a Select Committee up stairs.

Mr. *Labouchere* thought, that the House was bound to allow every inquiry into the merits of the Bill, consequently he was favourable to the proposition for referring it to a Select Committee. The feelings of the country were, he believed, strongly and generally opposed to the measure. If the second reading, therefore, were pressed forward before further inquiry had been made, he should certainly consider himself bound to oppose it. He was anxious to be fully informed with respect to the merits of the measure.

Mr. *James* would have no objection to the appointment of a Committee, provided it were chosen by ballot; but he should decidedly oppose the proposition if the Members of the Committee were to be selected by the hon. and learned Member by whom the measure was brought forward.

Lord *Howick* did not wish to have taken any part in this discussion, but, since it had extended so far, he felt bound to state, that he had been intrusted with two petitions, from different bodies of his constituents, against the projected plan of registration. Not yet having had an opportunity to present those petitions, he should certainly object to the second reading of the Bill that evening, but he fully agreed with the hon. member for Taunton (Mr. Labouchere) in the propriety of referring the question to the consideration of a Committee up stairs. He was satisfied that the Members of such Committee would be fairly chosen by the hon. and learned propounder of the Bill.

Mr. *Philip Howard* objected to the

appointment of a Select Committee, upon the ground of the great expense to which it would lead. In order to obtain the necessary information, they would have to send all over the kingdom for evidence, for there were so many local customs that might be affected, that it would be necessary to consider them all, before a general measure could be introduced with effect. He knew the feeling of the county with which he was connected (Cumberland) was very much opposed to the Bill. He believed there were few frauds committed by the concealment of title-deeds, and he had doubts if making attested copies of them would answer a good practical purpose, when these were to be kept at a great distance from the place where the property was situated. He had been intrusted with a petition against the Bill, which he had had no opportunity yet to present. He knew the subscribers to that petition were gentlemen not under the influence or management of Attornies, or likely to be guided by opinions which they might advance with reference to their own interest.

Lord *Morpeth* observed, that his constituents were thoroughly opposed to the Bill. Indeed, the county of York had already a system of Registration, with which the owners of real property were quite contented. They had no desire to prevent other counties from having either local or general registers, they only wished their system might not be interfered with. It should be recollected, however, that it was only the petitions, and not the Bill, which it was proposed to submit to the consideration of a Select Committee. He hoped, that if such a Committee were appointed, the hon. and learned Gentleman would select Members who would adequately represent the commercial and the agricultural interests of the country. Although he should not consider himself pledged to support the suggestions of any Committee, he felt that, consistently with fairness and justice, he could not oppose the motion for a Committee.

Mr. *Wrangham* said, that, opposed as he was to the project of a metropolitan registry, he owned he could not refuse his assent to the Motion of his hon. and learned friend for referring the petitions which had been presented against the Bill to the consideration of a Select Committee. Adverting to an expression which had fallen from the hon. member for Preston, he begged to deny that the country gentlemen were so ignorant as he had stated, or that they were, as the hon. Member had asserted, entirely under the control and dominion of a parcel of Attornies. Upon a question of this kind he believed that the country gentlemen were as little biassed by their Attornies as they were in need of any instruction which the hon. Member could give them.

Mr. *Bernal* thought, that the House was wandering from the point properly under its consideration. The only object of his hon. and learned friend, the member for Stafford, was, he believed, to adjourn the second reading of the Bill, for the purpose of allowing the petitions which had been presented against it to be referred to the consideration of a Select Committee. Perhaps his hon. and learned friend would do well to cut the matter short by stating at once the nature of the course which he wished to pursue.

Mr. *John Campbell* wished for the appointment of a Select Committee, for the purpose just stated by the hon. Member for Rochester. He did not wish the employment of counsel or agents before that Committee, on account of the expense to which it would lead; but he should be sorry to cut off from any individual the opportunity of going before the Committee to state his opinion upon the principle or details of the measure. Although he had some reason to suspect there was an organized opposition to the Bill by Attornies in various parts of the kingdom; but if they could show any good reason against any part of the measure, he wished that they should have every opportunity. He was consequently disposed to believe that the appointment of a Committee would be the means of throwing much light upon the subject—of removing many prejudices with respect to it—and of affording the House such useful information as would enable it to come to a just conclusion upon the question.

Mr. *Blamire* said, he hoped it was understood that the present Bill was different from the one of last Session. It was the object of the hon. and learned Gentleman by the several Bills he had in progress, to simplify the transfer of landed property, and, he believed, some of them would have that effect, although others might be mischievous, and, the present, he believed, was of that character. As such a measure, however, had been recommended by gentlemen of high legal attainments, he would so far modify his opposition to its principle, as to make no objection to its provisions being examined by a Committee, although, he wished that to be deferred until the other Bills of the hon. and learned Member had passed, that they might learn something of their working.

Mr. *John Campbell* postponed the second reading of the Bill till the 16th of April, and moved that it be referred to a Select Committee, on which the House divided: Ayes 85; Noes 30—Majority 55.

Committee appointed.

Supply — Ordnance Estimates.] Colonel *Maberly* moved the Order of the Day for the House going into a Committee. The Estimates to be proposed were only supplementary to the last, and he, therefore, trusted, they would not be objected to by the House, particularly as hon. Members would have a full opportunity for objecting when the Annual Estimates were brought forward.

Mr. *Herries* said, he did not object to go into a Committee, but he wished to ascertain whether there was any balance in the Treasury applicable to this vote. It had been usual to vote an estimate for a larger sum than was required, and perhaps therefore, there might be now some overplus, if so, they would be voting money twice for the same service, now, particularly as they were about to commence with a new system of public accounts, it was necessary to know the amount of unappropriated balances in the Treasury.

Mr. *Spring Rice* said, the object of th present Motion was, merely to bring the Ordnance Estimates up to the 1st of April, in order that the Annual Estimates might commence with the Financial year, and that would be the proper time to make the statement required by the right hon. Gentleman.

Mr. *Robinson* must say, that he did not agree with the reasoning, that because this vote was only for a quarter's Estimates, that, therefore, it was not to be particularly examined; moreover, as he saw there was none of the responsible advisers of the Crown in the House, he did not approve of voting money in their absence.

Colonel *Maberly* begged to inform the hon. Gentleman, that if there was any vote objected to, he would not press it that night.

Mr. *Dixon* said, he must take the present opportunity of putting certain questions to the noble Lord, the under Secretary for the Colonies, relative to the Colony of New South Wales. He was afraid measures had been adopted by the Governor, which would ruin that Colony. He had thought proper to revoke every grant made to the colonists; allowing the persons to retain possession only upon condition of paying up a heavy arrear of quit-rent which he had thought proper to impose, and the payment of which, he had required to be instantly made; notwithstanding the inability of the parties to comply with such an unjust demand. As a proof of this evil, he begged to relate a most distressing case of a highly respectable individual, one of the first men in the colony, and a personal friend of the late Governor. That gentleman, in a letter, after describing the general state of the colony, said, that all former arrangements as to the holding of land in the colony had been cancelled since the arrival of Governor Darling. Former grants had been revoked, and the colonists were required to retake the land at a payment of 5*s.* an acre. This individual represented himself as suffering severely from this excessive increase of price. The whole colony was thrown into confusion, and every man's right was involved in uncertainty. It was impossible for the colonists in general to pay. The object said to be sought by this charge was, to make an addition to the funds of the colony. Government had also made a claim for quit-rent in arrear, and demanded cash payment. The writer of this letter was Mr. M'Carthy—a man who stood very high in the colony. He went on to state, that the colonists were told, that if they bought any portion from the original holders, they must pay up all the arrears of rent; and he described his own situation to be most cruel. After having farmed a great portion of the 15,000 acres, which he originally took upon grant, and having kept upwards of 10,000 sheep under the promise of having his grant confirmed at a small quit-rent, he was now called upon to pay 5*s.* an acre for the land, or to relinquish all claim to the grant. After such a statement as this, he submitted to the noble Lord (Howick) that if the Governor had it in his power to make regulations of such a kind as this, no man in the colony was safe in investing his property in land. It was the most iniquitous proceeding he ever heard of; and he knew not any act for which the Governor would be more deserving of impeachment. If the Government at home did not adopt the most energetic measures, not only to restrain the Governor from any further proceedings, but to bring him to condign punishment, if the allegations were true, then they themselves would be deserving of censure. If the Governor proceeded with the measure, after several years had intervened, of insisting upon the payment of the excessive price of 5*s.* per acre; or, acting upon the orders of the Government at home, insisted upon the payment of a quit-rent, not for one or two years, but for several years, it would be the most cruel, impolitic, and dangerous proceeding that could possibly be adopted towards a rising colony. New South Wales was one of our very first colonies; it did at present, and would continue, to relieve this country from a large portion of its superabundant population, and it was calculated to be the safety-valve of Great Britain. It was one of the most fertile colonies in the world, and might hereafter become a most valuable trading colony, and be the means of enabling us to retain our East-India possessions. He, therefore, begged to ask, whether Government had received any account from that colony with regard to the sale of land? and whether they had received any information as to the state of the colony with regard to the conduct of Governor Darling? Further, he wished to be informed, whether Government had or had not sent out peremptory orders that the Governor should obtain immediate payment of the quit-rents? If they had, he warned them that the sooner they recalled those orders the better; and he would advise them to send out immediate orders to the Governor to prohibit, first of all, any interference with the grants previously made; next, to prevent his demanding 5*s.* an acre for land; and thirdly, to suspend the order, if any such order had been given, for raising the quit-rents. He would also recommend the Government to consider the question whether or not it was politic to sell lands in the colony at all. His opinion was, that there never was a worse policy adopted; but he would not, at present, enter upon that question. He hoped that, for the sake, not only of this fine colony, but, of all those persons who had vested property in it, and for the sake of the reputation of the noble Lord himself, and of his colleagues, an end would immediately be put to the mischievous course now pursued, and that a new and better policy would be adopted for the future Government of so valuable a possession to this country as was the colony of new South Wales.

Viscount *Howick* said, with respect to the question which the hon. Gentleman had introduced to the notice of the House, he regretted that he had not received some previous notice of it, having accidentally left the House last evening before the hon. Member had mentioned his intentions. That prevented him from being so well prepared as he could wish, to answer the questions propounded, and he must, therefore, confine his reply to the occurrences that had taken place since he had the honour to hold his present situation. On the motion of an hon. Member, for information respecting the orders that had been given by Government to Governor Darling, it was remarked, that the old system of granting land had led to great complaints, and orders were accordingly sent out to change the system; but, so far was it from being intended that those new regulations were to have a retrospective operation, or affect the grants of former Governors, that there was an express authority given to the Governor to make grants upon the old terms, to any individual to whom he had given promises, or who was under the expectation of obtaining a grant upon such terms. With respect to the quit-rents, the Governor was certainly desired to collect that which the parties had strictly bargained to pay. The truth was, that, upon looking into the circumstances, it appeared that a considerable quantity of land had been granted to persons possessing capital, at a small quit-rent of 2*d.* per acre, to be paid after the first seven years, upon the faith of such capital being employed in the improvement and cultivation of the land. Persons, by these means, obtained grants of immense portions of land, but made no use whatever of it when obtained; and thus imposed a most grievous tax upon the settlers. It was obvious that, if these parties took the land to cultivate, they ought to pay the quit-rent; and if they had not taken it for cultivation, it was only fair that they should be required to give up the land, or to pay the rent. The Governor was required, therefore, to call upon the parties to pay up the arrear of quit-rent reserved on the grants made to them. He was, however, at the same time, told, that he was to consider what was fair to be done in each case, and to make that compromise which he might, in any particular instance, deem just and proper. This was the order given to the Governor. He could not, for the reasons already stated, say in what manner these orders had been executed; but he could not believe they had been so completely misconceived by Governor Darling as was represented. Governor Burke had already arrived in New South Wales, and he having had, while in England, various opportunities of ascertaining the matter, perfectly understanding the meaning and views of Government, he would act accordingly.

The House then went into Committee upon the Ordnance Estimates.

Colonel *Sibthorp* wished to ask the hon. and gallant Officer, whether he intended to apply for a vote of 200,000*l.*, without giving any opportunity for investigation; the Ordnance Department, of all others, demanded the strictest scrutiny into its expenditure.

Colonel *Maberly* said, if the hon. and gallant Member intended to oppose the Estimates, they must, necessarily, be postponed, as the hour was too late to permit of debate.

Mr. *Spring Rice* moved, that the sum of 19,828*l.* be granted for defraying the expenses of the Civil Establishments of the Tower, Pall-mall, and Dublin, from the 1st of January to the 31st of March, 1832.

Mr. *Hume* said, as the Estimates were only for a quarter, and as it was understood they were to have every item explained, when the Annual Estimates were brought on, he would waive any discussion on the present occasion.

Colonel *Sibthorp* said, it was rather singular to observe such forbearance in the hon. Member. He remembered the time when that hon. Gentleman would have been the first to object to going into a Committee at such a late hour; but, since the agitation of the Reform measure, he had given up all care of the public purse.

Mr. *Hume* said, he only adopted his present course, because he should hereafter have a better opportunity to discuss every item in the Estimates for the year.

Mr. *Trevor* said, it was very consistent with the character which the hon. Gentleman was so ambitious to sustain, of being a great economist, to give his consent to votes to which he had at all former times invariably objected.

Colonel *Maberly* said, their object was, not to avoid discussion, but to obtain a temporary supply, in order to bring the Estimates for the year more completely under the consideration of the House. The financial year was to begin on the 1st of April in future, to avoid those anticipations of votes which had hitherto prevailed.

The various Resolutions were then agreed to, and the House resumed.

HOUSE OF LORDS,

Thursday, February 23, 1832.

MINUTES.] Bill. Read a first time; for Assimilating the Processes in the Common Law Courts.

Petitions presented. By Earl SEFTON, from the Licensed Victuallers of Windsor for an Alteration of the Law in regard to Property left at their Houses:—By Lord CLONCURRY, from the Inhabitants of Derrypatrick, in favour of Parliamentary Reform, and for the Abolition of the Tithe System in Ireland:—By Lord KING, from the Inhabitants of Carrickbeg, for the Abolition of Tithes and Church Rates; from the Members of the National Trades Political Union, Dublin, for the Repeal of the Irish Vestry Acts:—By the Marquis of LANSDOWN, from the Students of Medicine, Glasgow; and by the Duke of SUSSEX, from the Surgeons of Lancaster, to facilitate Anatomical Studies.

TITHES (IRELAND).] Lord *King* had several petitions to present to their Lordships from places and persons in Ireland, praying for the abolition of Tithes, and for resuming the Church lands. They were from Old Leighlin, Wells, Killinane, Tallowcreen, Killrew, Tryvett, and from the members of the National Trades Political Union of Dublin. The latter contained statements which fully showed the injustice of the existing system. In presenting these petitions, he begged leave to point out the enormous amount of many Church livings. In the county of Down, the petitioners stated, there was one worth 3,700*l.* a year; in Cloyne, some were 2,000*l.*, others 1,800*l.*; and six were worth 1,500*l.* In the county of Cork, there were fifty-six livings worth 46,000*l.* per annum; and the Bishop's land in that county consisted of 671,000 acres. The petitioners concluded by stating, that, between the years 1817 and 1822, there had been 3,039 tithe causes tried. Their Lordships must observe the difference which existed between the tithe system of England and that of Ireland. In England it was a tax on profit; in Ireland it was an immediate tax on the cultivation of the soil, and, if not abolished, the people must starve; it had become a question whether the people should exist or not. He believed the matter had gone as far as it could, and that it was impossible longer to maintain the present system of tithes in Ireland: indeed, he considered that the question of their extinction was as much settled as if an Act of Parliament for effecting that object had already passed the Legislature. He trusted that there would be no contest with the people of Ireland—no coercion; for, sure he was, that the people of England would not consent to pay one single pound sterling in support of such a cause. The people of Ireland were unalterably determined on the total extinction of tithes. The question would be settled in the same way as Catholic Emancipation was settled: the law would be passed when it was impossible longer to resist. By not giving timely relief to the Catholics, they had brought that Association into existence, which no one could deny was the means of carrying Catholic Emancipation. So it would be with tithes. The most impolitic course possible would be, to enter into a contest with the people, either for the purpose of enforcing the payment of tithes now due, or for the collection of those which might become due hereafter, for certain it was, that the result of such a contest must be, that those who undertook the office of collecting them would be defeated.

The Earl of *Limerick* did not wish to raise a debate on the presentation of petitions—a course which he considered to be highly inconvenient; but he wished to ask the noble Baron, whether he was aware of the consequences likely to ensue from the declarations he had made, and if he was really serious in giving the weight of his rank and character to the doctrine that the property which had been vested for hundreds of years in the Church was at once to be destroyed and made away with, because the people of Ireland, or any portion of them, thought proper to say, that should be the case? He wished to know, if the noble Baron was aware of the extent to which such a doctrine would lead him? He observed the presentation of petitions similar to the present with regret, and it was with much pain that he witnessed the excited state of the public mind on this subject in Ireland. He thought that these evils could be mainly traced to the promptings of a person holding a high station among the Catholic clergy of Ireland, who had advised the uneducated and wild peasantry, of whom his flock chiefly consisted, not to obey the law, but to keep their money in their pockets. Again, many of the evils of Ireland were attributed to a pauper population, which increased without limits: but were their Lordships aware that the great cause of that increase arose from the Catholic priesthood encouraging marriage in all descriptions of people, the old and the young? He regretted to find that those who ought to preach conciliation and peace, and who had sworn not to do any thing to injure the Protestant religion in Church or State, had set so fatal an example. It was not to be borne, that the doctrines advanced by such persons should receive the least countenance in that House; and he hoped their Lordships would consider well the consequences of any measure which might be introduced, before they agreed to strip the Church of that property which it had enjoyed for so many years, under the protection of the law.

Lord *Cloncurry* having been requested to support the prayers of several of the petitions intrusted to the noble Baron, did so with great pleasure. He would take the opportunity to offer a few observations in answer to what had fallen from the noble Earl, who, he (Lord Cloncurry) was sure—had he been resident on his estate in Ireland—would have found how utterly impossible it was for the people to pay their tithes. With respect to the conduct of the Catholic priesthood, they were pressed forward by the force of public opinion, and they would have no influence, if they were not to obey it. It was impossible, therefore, that they could remain silent, when they saw demands made upon the people which it was out of their power to satisfy. With reference to another question, in some degree connected with this, he (Lord Cloncurry) had, on a former evening, said, there were many persons who had been appointed to the magistracy who were not eligible persons to fill such situations; and the noble Earl (the Earl of Limerick) seemed then to think that he had been misinformed He had, consequently, made further inquiry on the subject, and he found, that when the Road Sessions Bill passed about six years ago, which Bill required that the Commissioners should be Magistrates possessed of property to the amount of 250*l*. a year, there were only a few capable of qualifying for the office. In his own county, he recollected seeing a gentleman, who had served the office of Sheriff three times, actually chased out of the county for a debt of 100*l*. His observations, he would admit, only applied to times past; because, certainly, the persons who had recently held the office of Lord Chancellor, had purified the list of Magistrates to a very great extent.

The Earl of *Limerick* did not think the noble Lord was quite in order, in referring to what had taken place in a former debate; but notwithstanding that, he wished to set him right on the point in question. The noble Lord said, on that occasion—and he went back, not for six years, but through a much longer period—that a moiety of the Magistracy of Ireland who had been appointed, were men without either property or character. In reply to that remark, he (the Earl of Limerick) asked, whether the noble Lord was prepared to say, that the Magistracy of Ireland, in the year 1798, were of that character. They had then, in that crisis, stood nobly forward, and had done their duty manfully and fearlessly.

Lord *King* said, that the noble Earl asked him if he was aware of the consequences of yielding to the present applications, and of the extent to which the doctrine which he advocated would lead him. In reply, he could only declare, that the tithe was a most anomalous possession—that it interfered with production, and taxed the industry of the people; and, therefore, the advice he gave to the clergy was, "make the best compromise you can before it be too late: the tithe must go—the system is indefensible: compromise while you have it in your power." Neither he nor the petitioners contemplated the extending of the doctrine to any other species of property; and some of the petitioners expressly declared that "they disclaimed all interference with any other property," and they repelled such a charge as a gross and scandalous libel upon them.

The Earl of *Eldon* wished to draw attention to the manner in which these petitions had been referred to by the noble Lord who presented them. He (Lord Eldon), as a member of the Church of England, felt it his duty to acknowledge the attention paid to this subject by the noble Earl (Grey), and the noble Marquis (Lansdowne) opposite, and he would also say, that, whether extinction or commutation of tithes was contemplated, when the bill came before the House it should have his best attention. But, for God's sake, he implored noble Lords to take care how they meant to deal with acknowledged property. The petition, as opened by the noble Lord, expressed nothing whatever with respect to the merits of the clergy: "it stated that the Church property, formerly belonging to monasteries, had since become that of the Established Church, and now prayed its total abolition." Now, he would ask the lay impropriators, who possessed a great portion of tithe property, whether they could agree to such a proposition as this, simply because the people said they would not pay? Such a declaration ought to be a reason why they should be careful even how they received such petitions. The appropriation of this particular property was in accordance with the principle of British law, which gave the Crown the disposal of all property left to charitable uses. It became in part the property of the Church, and of those lay owners who now were in the House, and heard him; and he again begged leave to ask those lay impropriators, what they thought of a petition which called on them to abolish a revenue which had been in their possession for generations? He had lived long—for some people, perhaps, too long; but God forbid he should live to see the House of Peers disgrace itself by passing any measure which he conscientiously believed to be a wrong one, without his at least offering it his strongest opposition.

Lord *King* begged to tell the noble Earl, his observations did not apply to lay impropriators. His observations were intended to be general: the petitioners declared they had no intention to avoid paying their landlords.

Lord *Wynford* said, that no one who attended to what was going on in the country for the last twenty years could pay much attention to the declaration of the petitioners, that they would be content with destroying one species of property only. For his part, he could make no distinction between one kind of property and another established by law. It was all based on the same right, and supported by the same law, and if one kind came down the other must immediately follow. He presumed that the petitioners, in declaring they did not go beyond the abolition of tithe in Ireland, wished the

House to understand they did not contemplate any invasion of the Church property in England. To that he had only to say, in his mind, the Church in both countries was the same. The Church of England and of Ireland had the same foundation, and together they must stand or fall; and when the Establishment was pulled down, he ventured to predict that every thing worth preserving would share the same fate, and be involved in the same ruin. He regretted to find that the spirit of resistance against tithes was fostered by the exertions of a Roman Catholic prelate, who, a few years since, declared, in a Committee of the House, that if Catholic Emancipation were granted, the people of Ireland would be content, and readily enter into a commutation of tithes. The result had shown how much the reverend Gentleman had mistaken that measure; and he thought that he, of all other persons, was called upon not to excite the people to any systematic opposition against the laws. He regretted to find that the main spring of the resistance to tithes was this reverend personage. He looked upon the works he had published as the orign of all the evils which at present afflicted society in Ireland; and he thought that nothing could be more fatal to the peace of any country than the inculcation of the doctrines he broached. They contained an odd species of casuistry, for though the collection of tithes was not to be resisted with violence, it was to be resisted in every other manner. The petition, he observed which had led to these remarks came from Old Leighlin, the very seat of the diocess of the Prelate to whom he had referred. He called upon their Lordships maturely to reflect on the measures which were about to be submitted to them; and he must again remind them, that if the Church of Ireland went, the Church of England must follow; and that if both Establishments were destroyed, the Monarchy could not last. He would again solemnly warn their Lordships that they held their own estates by the same title as the clergy held their tithes. Property in land was vested nine-tenths in the landlords, and one tenth in the Church, and if the latter right were not regarded who could answer for the former. There was no distinction between them known to the land, and certainly the title to tithes was quite as good, if not better, than the title to land.

The Marquis of *Clanricarde* declared, that the noble Lords opposite were altogether in error. The people of Ireland did not call for the extinction of the property of the Irish Church, but they demanded a change of the system under which the tithes were at present collected. The petitions now before the House did not pray for the abolition of the Church property, but of tithes in their present shape. With regard to the reverend Prelate alluded to by the noble and learned Baron, he submitted to the House if it was not unfair to charge that Reverend Prelate with wilful deceit, for that was insinuated by the noble Baron because he expressed an opinion which the result proved to have been ill founded. The reverend Prelate, in his examination before a Committee of the House, delivered an opinion, and swore that it was his conviction, at the time. Events proved that he was wrong, and he thought it was rather hard that he, or any other man, should be held pledged by opinions, particularly when they went to the extent of anticipating the feelings of the whole people of Ireland.

Lord *King* hoped and trusted that the gloomy predictions of the noble and learned Lord would not be fulfilled; when the noble Lord stated, that the English tithes must go, if those of Ireland went, by that remark he gave but poor consolation to the titheholder here. Indeed, the noble Lord would do the worst thing possible, could he succeed in establishing his assertion, that the Irish Church formed one of the outworks and safeguards of the Church of England. He was of a totally contrary opinion, and did not believe there could be any two things more different.

Lord *Wynford* begged to remark, in reply to the observation of the noble Marquis, that it was not merely a change of opinion in the mind of the reverend Prelate alluded to that caused his observations. What he complained of was, that that reverend Gentleman addressed his flock in the face of his previous declarations, and told them that tithes were odious, and ought to be resisted, when he had formerly said, that the emancipation of the Catholics, was the sole thing the people of Ireland desired.

Petitions to lie on the Table.

PARLIAMENTARY REFORM.] The Duke of *Rutland* rose, in pursuance of his notice, to present a Petition to their Lordships on the subject of Parliamentary Reform. He had great gratification in presenting this petition; in the first place, because he could, from his own personal knowledge, testify to the respectability of very many of the numerous individuals who had signed the petition; and, in the second place, because the petition contained sentiments completely in unison with his own on the question of vital importance which had so long occupied the attention of the Government, the Parliament, and the people. The petition which he had now the honour to present proceeded from the freeholders, and other owners and occupiers of land in the county of Cambridge, and the Isle of Ely; and was signed by 1,465 persons, each of whom had annexed to his signature, his place of abode and occupation. The petitioners expressed their deep sense of gratitude to their Lordships for having refused to pass the Reform Bill which was introduced into that House in the last Session of Parliament; and at the same time, they expressed themselves in favour of a safe and temperate Reform, or rather of a revision of our present Representative System. In these sentiments he entirely concurred; and, further, he trusted, with the petitioners, that the same principles which enabled their Lordships justly to appreciate the demerits of the Bill of last year, would be applied at the proper time, to the measure of the same nature, which was now in progress towards that House. He considered this petition of the greater importance, because it had been so confidently asserted that there was no re-action in the country on the subject of Parliamentary Reform. At all events, the assertion was not applicable to the districts from which the petition proceeded. There was not one of the petitioners who could for a moment admit that a theoretical and visionary proposition of Reform ought to supersede the existing Constitution. Strongly attached to the institutions which they had derived from their ancestors, and which they hoped to transmit to their posterity, they were not disposed, lightly or wantonly to put those institutions to hazard. This was a feeling implanted in them from their very birth, and of which it was impossible to divest them:—

"Naturam expellas furca, tamen usque recurret."

He had felt it is duty to oppose the Reform Bill in the last Session of Parliament, because it was his firm conviction that it tended to change the most valuable institutions in the country, and that it would ultimately lead to Revolution. He voted fearlessly against the Bill, because he voted conscientiously against it. He had been very desirous of stating the grounds of his opposition on the Motion for the second reading of the Bill, but the blaze of eloquence, and the depth of argument which characterised that memorable discussion, induced him to abstain from doing so; and he, therefore, gave a silent, although not on that account a less conscientious, vote against the Bill. With reference to the new Bill which it might be their Lordships' lot to have to consider, he had no hesitation in saying, that unless it came before them in a state very different from that of the measure to which their Lordships had so properly and so justly refused their sanction in the last Session of Parliament, he should consider it his duty to give it his most decided opposition; and in so acting, he should feel the great consolation and satisfaction of knowing that he concurred in the opinion, and that he should receive the hearty good wishes of the numerous and respectable body of individuals whose signatures were attached to the petition that he had the honour to present. He would conclude by expressing his obligation to the House for the attention with which they had listened to him, and he requested that the petition might be read at length.

Done accordingly, and petition to lie on the Table.

THE GLOVE TRADE.] The Bishop of *Worcester*, in rising to present a Petition from Worcester against the importation of foreign gloves, said, that he congratulated himself at the present moment, when so unkind a disposition was manifested in the country against the Bench of Bishops, in having an opportunity of showing that so large a portion of the community with which he was more connected had intrusted their interest in his hands. He only regretted that he could not do the subject justice, and he, therefore, earnestly hoped that some noble Lord, who was better acquainted with commercial matters than himself, would take it up, as he believed the glove makers of the country were labouring under great difficulties, in consequence of the unfair competition to which they were exposed with the foreign trade. It had been asserted in another place that the large importation of foreign skins was a proof that the condition of the trade was not in a declining condition. This statement he believed was not founded in fact, as he would endeavour to demonstrate. Until recently there were fifty manufacturers at Worcester each of whom made 50,000 pair of gloves a week. These were chiefly made from English sheep and lambskins, but the importation of foreign skins had the effect of changing the fashion, and no gloves could now find a market, unless they were made from foreign skins, or by foreign manufacturers. By these means the consumption of English skins of which those gloves called beaver gloves, were made, had fallen off two-thirds. The importation of foreign skins did not make up anything like this deficiency, and the consequence was, that many workmen were now thrown out of employment, which, of course added very much to the distress of the manufacturers, for the poor-rates had materially increased upon their diminished means of payment.

Petition to lie on the Table.

HOUSE OF COMMONS,

Thursday, February 23, 1832.

MINUTES.] New Writs ordered. On the Motion of Lord NUGENT, for Great Marlow, in the Room of OWEN WILLIAMS, Esq., deceased.

Bill brought in. By Mr. SPRING RICE, to Regulate the Office of High Sheriff, &c.

Returns ordered. On the Motion of Mr. PRINGLE, Copies of all Reports or Orders relating to the office of Clerk to the admission of Notaries Exchequer Court (Scotland), with the Amount of Fees paid:—On the Motion of Mr. STANLEY, Copy of a Letter from the Chief Secretary for Ireland to the Duke of LEINSTER, on the formation of the Board of Education in Ireland:—On the Motion of Mr. MILLS, Account of all Monies expended on the Palaces of Hampton Court and Kensington, during the years 1828, 1829, 1830, and 1831, with the Estimates of such Repairs in the year 1831:—On the Motion of Mr. LAMB, Report on the Metropolitan Districts for the future Election of Members of Parliament; Report of the Commissioners appointed to inquire into the practice of the Ecclesiastical Courts of England and Wales; the total Amount unissued, on 1st January, 1832, of the Supplies granted by Parliament for the Army, Navy, Ordnance, and Miscellaneous Services, respectively, for the year 1831; together with the Amount of the demands outstanding for Charges incurred under each of those Heads at the same period, shewing the Balance of Supply unissued under each Head, after deducting those demands; of the value of Foreign Corn and Meal, imported each year, from the year ending 5th January, 1815, to 5th January, 1832, distinguishing the Amount Imported from the British Colonies and from Ireland; of the Exports of Cotton Goods, for the last six years, ending January 5th, 1832, distinguishing Cotton Twist and Yarn, and specifying each year the increase and decrease of the real compared with the Official Value; a like Account of the Export of Printed Cotton Goods for the same period; Account of the Importation and Exportation of Raw Cotton for the same period; of the Number and Amount of the Seizures of Silk Goods, from 5th January, 1815, to 5th January, 1826; distinguishing each year, with the respective Amount of Penalties, whether by compromise or otherwise; Specification of the Seizures of Silk Goods, from 5th January, 1826, to 5th January, 1832; distinguishing each year, with the respective Penalties, whether by compromise or otherwise; Return of the Annual Importations of all other Foreign Manufactured Articles, from 5th January, 1826, to 5th January, 1832, the Importation of which was to that time prohibited; distinguishing the Amount of Watches and Jewellery, and Gloves and Shoes; together with the Amount of Seizures made of such Articles.

Petitions presented. By Captain JONES, from the Presbyterian Congregation of Ballykelly, against the proposed new System of Education for Ireland:—By Mr. HUNT, for an extensive measure of Reform in Parliament, from the Kidderminster Political Union; from Sculcoates Union, and Macclesfield, for inquiring into the Manchester Massacre of August, 1819; and from the Operatives of Oldham, for an Inquiry into the Cases of the Deacles:—By Colonel EVANS, from Medical Practitioners of the Metropolis, for an Inquiry into the Asiatic Cholera; and from certain Persons at Hythe, against Folkestone and other places being joined to Hythe, in the return of a Member:—By Mr. LAWLEY, from Nuneaton, Childers, Coton, and Bedworth, against the Importation of Foreign Silks:—By an HON. MEMBER, from the Landowners and Inhabitants of Bridgwater, of Huntspill, within the Hundred of North Peverton, Somerset, and of Owners of Real Property in Wisbeach By Mr. SPRING RICE, from Inhabitants of Teynmouth, Against the General Registry Bill:—By Mr. GREEN, from the Inhabitants of Lancaster, in favour of the Anatomy Bill:—By an HON. MEMBER, for provision in the Reform of Parliament (Ireland), Bill, for the peculiar Franchise of Galway; of Roman Catholic Magistrates, Free Burgesses, and Merchants of Galway; of the Guild of Stone-cutters of Galway; and of Householders of Galway, for the modification of the Stamp Duty on the admission of Freemen to Corporations:—By Mr. SHAW, from the Hibernian Marine Society in Dublin, for Continuance of the Grant to that Institution; from the Rev. John Benjamin M'Crea, for the Exclusion of Roman Catholic Members from the House, and for the Banishment of Jesuits; from the Corporation of Shoemakers, Dublin, against the Reform of Parliament (Ireland) Bill, and of Attornies and Solicitors of Ireland, for discontinuance of the Stamp Duty on their Certificates:—By Mr. ADEANE, from the Commissioners of Sewers of the Eastern parts of the County of Kent, and Owners and Occupiers of low grounds within those limits, in favour of the Sewers Bill:—By Mr. WESTERN, from Romford, in favour of the Factories Bill; and from the Inhabitants of Petersfield, and of Alton, Hants:—By Mr. SPRING RICE, from Limerick, for an Increased Number of Representatives for Ireland.

POST OFFICE REGULATIONS.] Mr. *Jephson* presented a Petition from the Mail Coach Proprietors and Innkeepers on the Holyhead-road, complaining of certain Post Office Regulations, and praying for a reduction in the Rate of Fares, charged by the Post Office Packets between Holyhead and Howth.

Sir *Robert Bateson* said, he would take that opportunity of alluding to the state of the steam communication between Donaghadee and Portpatrick. There were only two small vessels of twenty horse power, and they were upon some occasions utterly unable to cross the channel. The inconvenience was so great, that the communication was frequently interrupted to the great loss of the merchants and traders. As a proof of the inefficiency of these vessels, he would mention that one of them was actually driven back broad-side foremost on the rocks at Portpatrick, and the whole crew was in the greatest danger of perishing. The Chamber of Commerce at Belfast had made a Representation to the noble Duke at the head of the Post Office Department, but the only reply they received was, that these packets had already plied between Dover and Calais, and were, therefore, fit to ply between Donaghadee and Portpatrick. He had heard the economy of the noble Duke highly lauded the other night, but he considered it was mistaken economy to perform the public service badly.

Colonel *Conolly* confirmed the statement of his hon. friend, and observed, that a great risk of life and loss of time to the community was not to be compensated for by a small saving to the revenue.

Mr. *Hume* was as anxious as any man for economy, but he should like to see it practised in a different way from that of which the two hon. Members complained. He thought, however, the best way would be for hon. Members who complained of the present system to put down in writing the principle facts, in order to see how far they were borne out by the real state of the case. He had reason to believe that that there was a loss of 50,000*l*. or 60,000*l*. a year by the Liverpool and Dublin packets, and, unless something were done by Government, he should bring the subject speedily before the House. He would take that opportunity to again refer to the practice of the Clerks of the Post Office in Ireland, supplying newspapers, and he did intreat the noble Lord to put a stop to the public servants having an undue preference over the regular newsvender.

Mr. *O'Connell* said, he could produce evidence, to prove the gross partiality which was practised in favour of the Clerks of the Roads supplying newspapers. It did seem extraordinary that persons who were paid salaries by the public for the performance of certain duties, should be allowed also to trade and have the privilege to step in between the fair trader and the public, to the manifest injury of both. He thought, that this question really deserved the attention of Government.

Sir *Henry Parnell* said, he had no doubt the Petitioners were injured by the regulations complained of, and that the public also had reason to complain of these regulations, which had the effect of making a longer voyage the cheapest and most expeditious. The Fares charged in the Post Office Packets limited that conveyance to the rich, and, he was convinced, that if the rates were reduced, one-half the public would profit by the alteration. He believed there was some mismanagement in this department of the revenue which wanted fully inquiring into.

Petition to be printed.

REGISTRATION OF BIRTHS.] Lord *Nugent* rose, pursuant to notice, to ask for leave to bring in a Bill for the formation of a General Registry of Births. He was sure that the fate of this Bill would mainly depend, not so much on a general recognition of the grievances and inconveniences now felt upon this subject, as upon the question whether it was calculated to remove them. The evils arising from the existing state of things, were familiar to most Gentlemen acquainted with the difficulty of ascertaining questions relating to descent, alliance, or birth. It was well-known that there was no direct legal proof of the date of an individual's birth, except the oral testimony of individuals cognizant of it; in other words, that all testimony as to that date perished with the parties to whom the fact was known. In cases of pedigree, and whether parties were of age at a certain time, the question was generally beyond proof; because, in nine cases out of ten, such questions did not arise till the parties were dead, together with all who could bear testimony to the facts. The only other legal evidence as to the date of a person's birth, was in the baptismal register, and that only proved that a party was in existence at the time the baptismal entry was made, and said nothing of how old he was upon that occasion; nor, indeed, would any entry as to the time of birth be received as legal evidence of the fact. This was a most inadequate proof, and gave rise to many frauds, in spite of the law. These inconveniences affected all classes of the community, but they fell most heavily on the Dissenters, particularly the Baptists, whose religious opinion was, that persons ought not to be baptized until they arrived at the age of sixteen. Many persons, dying before arriving at that age, no date whatever of their birth was preserved. Besides, the difficulties arising from non-registration, generally, a peculiar evil arose in the particular case of Baptists; who were sometimes induced to an occasional conformity, at the expense of their religious opinions, for the purpose of obtaining the benefits of registration for their children. He knew that ministers of the Baptist persuasion considered it a desecration of the Sacrament of Baptism, to baptize children of tender years; but they were, nevertheless, occasionally tempted to be guilty of this desecration of the Sacrament. There was, he was aware, a registry kept of the birth of Dissenters; but it was necessarily imperfect; and, in the case *ex parte* Taylor, a late Master of the Rolls, Sir William Grant, stated it as his opinion that that registry was not evidence in a court of law. To judge of the inconveniences of the present system, suppose, in a case of pedigree, it was necessary to prove the birth of a person born seventy years ago. All the witnesses conversant of the fact, were probably dead; and if the inquiring parties did not know the county and parish where the child was born, they had to hunt through upwards of 10,000 parish registers; and, failing in this search, their only resource was, in family Bibles and prayer-books, always secondary, and sometimes not admissible, evidence. He would state to the House the general means by which he proposed to remove these inconveniences. He did not propose to interfere with the baptismal registers, but to establish a purely civil registration of births, to be kept by a recognized officer, and to be open for general inspection on the payment of a small fee. Attested copies of registries, or registers themselves, he proposed to make evidence in a Court of Justice. No new machinery would be set up, no expense would be incurred, and very little additional trouble would be given. He intended that the clerk of each parish should be required to receive the entry of the birth of each child born within the preceding three months, from either the parent or attesting witnesses. The parish clerk was to make his return to the high-constable of his division or hundred, who was already compelled to make certain returns to the Quarter Sessions, to which he should add those he received from the Clerk, and the Clerk of the Peace should copy them into a book which would form the registry of births for his county. He had stated the grievances that existed, and the remedies he proposed to apply to abate them, and, without troubling the House with any further detail at the present moment, he would move for leave to bring in a Bill for the general registration of births.

Sir *Robert Inglis* said, such a Bill as the noble Lord proposed, to be effectual, must be compulsory. He had made (if he understood him correctly) the Clerks and Officers responsible, but it was not compulsory upon the parents to make the necessary communication. The consequence would be, that a great proportion of persons would not be registered, and the same uncertainty would continue to prevail as at present. It was absurd to suppose the great majority of people would take the trouble of having their children registered, when they had no inducements connected with either pedigree or property to do so.

Mr. *Strickland* begged to suggest to the noble Lord, whether, providing another column in the parish registers, which should receive the age at the time of baptism, would not accomplish his object.

Mr. *O'Connell* observed, that such a measure as the noble Lord contemplated was much wanted in Ireland, and he believed the hon. member for the University of Oxford was in error, when he supposed the poorer people were not interested in recording the birth of their children. He apprehended that few would be found not ready to avail themselves of the advantage. The Catholic clergy kept registers of baptisms and marriages, but their admission, as evidence in a Court of Justice, was a disputed point, and he, therefore, should be happy to lend his assistance to establish an authentic record.

Mr. *Croker* begged to add his testimony to that of the hon. and learned member for Kerry, that a registry was much wanted in Ireland. A few years since, it was extremely difficult to establish the date of any man's birth. He knew a Peer who had found this difficulty very great, before he could establish his claim to vote for Representative Peers.

Mr. *John Wilkes* said, the measure proposed was actually necessary. The Commissioners for real property had, in their report, complained of the existing laws as being so defective in this respect, as to augment the difficulties of the transfer of property. All persons desirous of accurate statistical information, had deplored the want of all authentic records in this country by which that could be obtained; while, in all other countries, such information was fully supplied. He, therefore, in common with other hon. Members, would be ready to render any assistance to supply this defect, and the noble Lord might depend upon his support.

Lord *Nugent* was gratified at the promises of support he had received: he would simply state one case with which he was acquainted, to prove the necessity of the Bill he proposed. In a parish he knew, there stood the following entry: "The child of Jacob Andrews and Mary his wife." Three months after this, came the marriage of "Jacob Andrews with the same Mary." The birth of a child before marriage might be accounted for, but how the child should be entered as that of Jacob Andrews and "his wife," was not so easy to be understood. These parties afterwards became Baptists, and had themselves Baptized; they were afterwards reconciled to the Church of England, and "Mary, the wife, dies," and is registered as being buried three months before her child was Baptised, and six months before she was married. All this confusion arose from the clergyman having filled his book, and then begun again at a preceding page, and somebody fancying that a subsequent date being on a prior page was wrong, took the trouble to alter the whole of them, thus making Jacob Andrews stand as the widower of a lady three months before he married her. As to the suggestion of the hon. Member (Mr. Strickland), to establish another column in parochial registers, that, besides being liable to the same errors as those he had just pointed out, would have the additional defect of requiring each parish register in the kingdom to be examined upon particular occasions, and would leave the Dissenters exposed to the same difficulties as at present.

Leave given to bring in the Bill.

REPRESENTATION OF CHELMSFORD.] Lord Althorp moved the Order of the Day for the House to resolve itself into a Committee on the Reform of Parliament (England) Bill.

Mr. *Dawson* said, he had a petition which he was desirous of presenting that evening respecting Reform, otherwise it might be too late. He had attended for five days, having put his name down on the Speaker's list, in order to present the petition, but had not yet had the opportunity of doing so. He hoped, therefore, that the noble Lord would not object to the petition being now presented.

Lord *Althorp* said, under the circumstances named by the right hon. Gentleman, he would not object to the petition being presented, but would suggest the propriety of waiving all discussion upon the point to which the petition referred, otherwise there might be two discussions upon the same subject.

Mr. *Dawson* said, it would be impossible for him to present the petition without stating its objects, but he had no wish to raise a discussion upon it, although he could not answer for what might be said by those who were opposed to its prayer. The petition he had now the honour to present was from certain inhabitants of the parish of Chelmsford, and it stated, that that town was an ancient borough, and formerly returned Members to Parliament; and they now, on account of the increased importance of the town, prayed to have that privilege restored to them, under the new system of Representation. The petitioners further stated, that, by the Reform Bill, it was proposed to divide the county of Essex into two parts; that the western division of the county would then only return two Members, while the eastern division would return eight; that the difference in the population of the two divisions was not considerable, but that that difference was in favour of the western division, which contained 82,000 inhabitants, while the eastern only contained 76,000. They stated also, that several flourishing towns were in the western division, which, in an agricultural point of view, ought to be represented in that House, consequently, they objected to the arrangement which would give that division so small a share in the Representation. The town of Chelmsford contained 5,500 inhabitants, and was, besides, the county-town, both of which circumstances entitled it to a favourable consideration, and it would be the only county-town, except Okeham, the county-town of Rutland, which would not be represented in that House under the Reform Bill. This petition had originated with a public meeting, though, undoubtedly, it was not the petition of the meeting. The fact was, that a meeting was held on the subject of the Bill, when the Reformers and Anti-reformers, as might be expected, disagreed about it. The former were for refusing Members to Chelmsford; the latter held the opinions expressed in the petition. The meeting divided, and the numbers were so equal that the Chairman did not know how to decide. Under these circumstances, the petition was left at the Town-hall for signature—and between 200 and 300 persons had signed it. Among these were—and he appealed to the hon. Members opposite for confirmation of this fact—the most respectable inhabitants of the town. As a petition proceeding from Anti-reformers, and presented by an Anti-reformer, the prayer of it might excite some surprise, but, so far as regarded the extension of the franchise to Chelmsford, under the circumstances of the present time, he saw no objection whatever.

Mr. *Western* said, as he had been appealed to by the right hon. Gentleman, he felt bound to say a few words on the subject of this petition. He admitted, that, among the number of those who had signed it, there were the names of many most respectable individuals. At the meeting to which the right hon. Gentleman had referred, there certainly was a difference of opinion, and he believed that the Reformers declined to join in the petition, as they feared that to do so at this late period, would only embarrass the passing of the great measure of Reform. No person could imagine, that the petition would receive the sanction of the House, and he was sure the right hon. Gentleman who had presented it, did not anticipate that it would. He did not say this, as wishing it to be inferred that Chelmsford, as being an ancient borough, and having a considerable population, did not deserve Representatives, but with reference to the principles laid down in the Bill, that town had no claim to Members. Considering its population, extent, and intelligence, he believed Essex would return rather under its proportion of Members by the Reform Bill; but, with respect to its division into eastern and western, he did not see how that county could be otherwise divided, so that the argument of the petitioners founded on the disproportion of the Members in one division, compared with the other, fell to the ground.

Mr. Mackinnon supported the prayer of the petition.

Mr. Wellesley concurred in the statements made by his hon. colleague, Mr. Western.

Petition to be printed.

Cholera Morbus.] Colonel *Evans* wished again to call the attention of the House to the petition he had presented on a former night, from seventy-three medical practitioners, praying for an inquiry into the nature of the Cholera. They asserted, without the fear of contradiction, that it was an epidemic, and not a contagious disease. One of the petitioners was Doctor Chambers, who examined all the medical officers belonging to the East-India Company, and who was, therefore, a great authority on this subject; with respect to the mortality produced by this disease, there did not appear to be any unusual increase, the average of deaths in the metropolis at this season of the year being from 500 to 700 weekly. It was supposed by some persons that the fear occasioned by the appearance of the disorder in this country would soon die away, but, in the mean time, he begged to observe, that the greatest distress was occasioned by it, for he understood that twenty millions of property were now lying on board ship in our harbours, the export trade being stopped from the dread of quarantine in foreign countries. Surely, therefore, it was necessary to institute some inquiry to ascertain the exact character of the disease which had caused so much mischief.

Mr. *Croker* observed, that the logic used by the petitioners was of that kind which did not much dispose the hearer of it to form a favourable opinion of the value of their opinions. They declared that they stated, without fear of contradiction, that this disease was not contagious. They might state it without any fear of refutation, but they could not state it without fear of contradiction, for in the minds of many most eminent medical men, there was nothing more clearly established than that the disease was contagious.

Mr. *Poulett Thomson* thought he might safely put it to the hon. and gallant Member himself, whether the course he was now pursuing was a wise one. That it was adopted from the best motives there could be no doubt, but there could be nothing more mischievous to the cause he intended to serve than his repeated expression of opinion that the disease was not contagious. He should be glad if the fact were so; but there were a vast number of men who had seen the disease abroad, and who held an entirely different opinion. That difference of opinion showed that, at least, there was considerable doubt on the subject; and if the doubt existed, was it not mischievous to endeavour to persuade people that they might safely expose themselves to the disease, for it was not contagious? It was, besides, mischievous in another way; for we could not persuade foreign countries that the disease was not contagious; and if they saw us acting without care, they would enforce their quarantine more strictly than ever against us. The injury to the commerce of the country was not so great in consequence of the system now pursued as the hon. and gallant Member imagined, for the greater part of the coasting trade of the country was free from the restrictions of quarantine.

Colonel *Evans* said, as the right hon. Gentleman himself allowed there might be some doubts of the character of the disease, he put it to him, whether, to set those doubts at rest, it would not be best to have some inquiry into its nature.

Sir *Richard Vyvyan* begged to ask the hon. and gallant Officer, whether, if he could make out fully that the disease was not contagious, he had the means of persuading other countries to adopt his views, for, unless he could do that, the restrictions on commerce would not only be continued, but would most likely be increased, from the suspicions of such countries that we desired to make out a false case.

Colonel *Evans* said, he would press the subject no further.

An *Hon. Member* said, a very unnecessary alarm had been created. There had been many diseases in this country, even of late years that was more general and fatal. Such was the disease of 1777, and the complaint in Dublin in 1808, which very much resembled the present disease.

Subject dropped.

Parliamentary Reform—Bill for England — Committee — Sixteenth Day.] Order of the Day for the House to go into a Committee on the Reform Bill read.

Mr. *Croker* asked the noble Lord opposite, what course he intended to pursue with respect to the proceedings on the Reform Bill? Did he mean to assemble the House on Saturday?

Lord *Althorp* said, that whenever he proposed that the House should sit on Saturday, he saw that it was against the general feeling, and he hoped not to be compelled to assemble the House on Saturday in this week; but that would depend on the progress made in the mean time. As they could not sit to-morrow, and as there seemed a full attendance of Members, he hoped they might get through schedules B and C this evening, and enter upon D.

Mr. *Croker* said, it was not likely they could make such progress. The metropolitan boroughs were in Schedule C, and they were likely to create much discussion.

The House went into Committee.

Lord *John Russell* said, that in consequence of some observations made by a right hon. Gentleman opposite, relative to the boundary of the borough of Ashburton, there being no line drawn to mark the distinction between the borough and the town, he had thought proper to direct the Commissioner's attention again to the subject, and the commissioner had informed him that no line could accurately define the limits of each. After re-investigating the case, the Commissioners stated, that there were nineteen houses standing in lanes outside the town, which possessed the right of voting; that these paid 19*l.* in assessed taxes, and might be added to the return. But, as the addition of those sums would not take Ashburton out of the schedule, he did not propose to alter the return respecting that borough.

Mr. *Croker* said, that the observations just made by the noble Lord showed that his objection had some foundation and that a little time granted for consideration sometimes saved much discussion. He did not mean, however, to trouble the House to divide on the case of Ashburton, because he found that the limits assigned to the borough in the Boundaries Bill were quite as large as he was inclined to give it; and that those limits, though they would alter the situation of the borough in schedule B, would not take it out of that schedule.

The question that Ashburton (Devonshire) stand part of schedule B, agreed to.

Eye (Suffolk), was also placed in the same schedule.

On the question that Westbury, (Wiltshire) stand part of schedule B, being put,

Mr. *Croker* observed, that, upon the most mature consideration, he was convinced that Westbury was, in every point, inferior to Amersham; and that those boroughs ought in justice to have changed places. If the calculation respecting them had been founded upon fair principles, that would have been the case; but as the House had already decided the question, he would not again open it.

The question carried.

Wareham (Dorsetshire) was, also placed in schedule B.

The next question was that Midhurst (Sussex) stand part of the same schedule.

Lord *John Russell* said, that, with respect to this borough, he had also directed the Commissioner to revise his return, in consequence of it having been asserted that too extensive a boundary had been assigned to it; as Midhurst was a burgage tenure borough, the question was, whether the boundary ought to be strictly confined to the premises having the right of voting at present, and he had accordingly requested the Commissioner to state, whether, by taking the narrowest boundary possible, such a difference would be made in the number of houses, and the amount of assessed taxes, as would place the borough in schedule A. The answer given by the Commissioner, after stating various details, was, that, even supposing a line was drawn round the town, the number of houses thereby excluded would not amount to ten.

Mr. *Croker* said, he had never objected to the boundary which had been assumed by the Commissioner for this borough; but what he complained of was, that, notwithstanding there was better evidence of the extended boundary of Appleby, including Bondgate, than existed with regard to this borough, Appleby was placed in schedule A, and Midhurst in schedule B.

Lord *John Russell* said, the boundary of each was taken as sanctioned by common fame; for a boundary connected with partial jurisdiction, such as existed in Appleby, might extend a considerable distance beyond the true limits of the borough; and this was the case with that place, but the boundary outside of the town of Midhurst, consisting of the liberty of St. John, was of very little consideration in the total amount of houses and taxes at that place.

Mr. *Croker* said, that the boundary of Appleby did not rest upon common fame, although that of Midhurst did, and it was an argument in favour of the former, that they had written documents shewing a perambulation. He had no doubt that if the same Commissioner had been sent to Midhurst as settled the limits of Appleby, he would have excluded the liberty of St. John. In his opinion, Appleby was the strongest case of the two, and deserved to be retained in preference to Midhurst.

Mr. *John Campbell* was of opinion, that the same rule had been impartially applied to both Appleby and Midhurst. In burgage tenure boroughs, which tenure of itself afforded proof of antiquity, the boundary often rested upon common fame, and it necessarily must do so, if the nature of the tenure was considered. By it, premises were held of the lord at a certain established rent. This tenure existed before they sent Members to Parliament. Many additional houses might have been erected in the lapse of ages, but none of these possessed the privilege of giving a vote which was confined to the sites of the original dwellings. Although new buildings might have been put up, the houses that possessed this right were, of course, well known, but the extent of the various premises which made up the boundary of the whole could not, from these causes, be accurately defined. The great object, therefore, was to draw a line, as nearly as possible, to take in all these burgage tenure houses, and no more, and, he believed, this had been done fairly in both places. The result was, that Midhurst had been rescued from schedule A on account of its population and taxation within these limits, and, wanting a sufficient proportion of these advantages, Appleby was retained there.

Mr. *Croker* said, the hon. and learned Gentleman appeared to forget that the liberty of St. John had been included in the borough of Midhurst, while Bondgate which was a part of Appleby, was excluded from that borough.

Mr. *Hunt* said, that he should move that Midhurst should be placed in schedule A, it being, in his opinion, one of the rottenest boroughs in existence. It was a small contemptible place, containing, according to the census of 1821, only a population of 1,400 persons. He, as well as the public, remembered the description the noble Lord had given of it in a celebrated speech he made on opening the Reform question. On the grounds the noble Lord then gave, he should persist in desiring its total disfranchisement. He considered that there was an essential difference between the cases of Appleby and Midhurst; in the latter the liberty of St. John was included, in the former Bondgate was excluded, which was as much a part of Appleby as St. John was of Midhurst. But this was not the only occasion that Ministers took in, or omitted the liberties of a borough as suited, them. Did hon. Members remember the debate respecting the adding of Bowood to the borough of Calne.

Lord *John Russell:* the hon. Member is mistaken, the liberty of Bowood was not annexed to Calne in the statement of its population.

Mr. *Hunt* had certainly understood it was but let that be as it might, Midhurst was a small insignificant place, and he was determined to divide the Committee against its continuing in schedule B, when there were so many places that deserved a Member better, totally unrepresented. Why should this borough, which, according to the noble Lord's account, had only some stones in a wall for voters, be allowed to return a Member, while Croydon, within ten miles of London, and containing 12,000 inhabitants, was not to have any Representation? Could the inhabitants of Croydon think that this was just or proper? The hon. Member then moved that Midhurst be placed in schedule A.

Lord *John Russell* said, in the allusion he had made to the stones in the wall, he had never intended to convey the idea that these stones alone gave a right to the franchise, for he was aware there were several holders of burgage tenures within the town and its immediate vicinity.

Mr. *Bernal* (the Chairman) said, that the hon. Member could not make the Motion in the present stage of the Bill. All he could do was, to negative the motion that Midhurst stand part of schedule B.

Mr. *George R. Smith* said, that, as his father and another hon. relation of his possessed equal influence in the borough of Midhurst, he thought it incumbent on him to say a few words in reference to that borough. It might perhaps be considered presumptuous in him to attempt to vindicate Ministers from the charge brought against them, by many hon. Gentlemen, of having regarded Midhurst with undue partiality; but he could not help remarking that the fact of three of the boroughs out of the five excluded by the present Bill from schedule A, and placed in schedule B, happening to return Members distinguished for their uncompromising hostility to the Reform Bill, was a sufficient refutation of such an imputation. He was ready to admit that Midhurst stood at present, as far as nomination was concerned, in the same situation as Gatton and Old Sarum; but if the House widened the boundaries of the latter places, as they pleased, he did not know how they could contrive to create a respectable constituency, if they were able to create a constituency at all. The case with Midhurst was extremely different. They had only to throw open the ancient limits of the borough, and there would be created at once a constituency as respectable and as worthy to exercise the elective franchise as the inhabitants of any town in the united kingdom. After the dissolution of the late Parliament, he went down to Midhurst, and paid his respects to the few electors (for few he confessed they were) of that borough. The reception he met with was favourable in every point of view, and the only hope expressed, by several of the electors was, that he would support the measure of Reform brought forward by Ministers, which at that time, be it recollected, contained Midhurst in schedule A. This readiness, on the part of the electors of Midhurst, to sacrifice their interests, showed how deep their feeling was in favour of Reform; and he knew that the same independent spirit prevailed among the electors of many other small boroughs. He could assure the Committee, that when the Reform Bill passed, Midhurst would possess a respectable and free constituency. It was indeed, improbable that either he or any of his family should ever sit in Parliament for emancipated Midhurst. He had no particular local connexion with that borough; and as for his influence, that would be completely and irrevocably destroyed by the Bill now in Committee. But if ever he presented himself as a candidate for the suffrages of the electors of Midhurst, he knew that his greatest recommendation to their favour would be, the support which he had given, for many anxious nights, to the present measure of Reform. The hon. Gentleman concluded by expressing his decided dissent to the Motion of the hon. member for Preston.

Mr. *Hunt* said, he had not placed Midhurst on a level with Gatton and Old Sarum, but he had called it an insignificant place, in comparison with other towns which were to be unrepresented, and, therefore, in his opinion, it ought not to have a Member.

Mr. *Croker* said, the observation of the hon. Member had again opened all the questions respecting boundaries in the boroughs to be disfranchised. He had not intended again to mention the subject, but, as the hon. Member had instituted a comparison between Midhurst and other boroughs, he must lay a few facts before the Committee, so far as several of them were concerned. It might be true of Gatton and Old Sarum, and, perhaps, of Beeralston, and one or two other Cornish boroughs, that an extension of their boundaries would not give an adequate constituency, but he would assert, that there were fifty of the fifty-six boroughs about to be disfranchised each of which would have a constituency more numerous than that of Midhurst, and quite as respectable, if their boundaries were similarly extended. He was no advocate for disfranchising that place, although he could not permit the hon. Member to eulogise it at the expense of other places. His only object was, to see the same measure of justice dealt out to all. The hon. member for Midhurst had denied that Ministers had made population the basis of Representation. But the fact was, that they had founded their former Bill almost altogether upon population; and, in the present Bill, the houses, which must be in proportion to the population, were taken, conjointly with the taxes, to constitute the basis of Representation. But how did Midhurst stand, in respect to population, when compared with the boroughs in schedule A? It had a population only of 1,478, whereas Oakhampton had 1,500, and upwards; the disfranchised Aldborough had 1,530, that is, 100 more than the preserved Midhurst; Fowey, a large town, with an extensive harbour, and a considerable commerce, had 1,580; Saltash, 1,637; Downton, 1,657; Minehead, even though curtailed of its natural limits, by the exclusion of Dunster, had a population of 1,682; Amersham which had been pared down as closely as a line could be drawn round it, with a population of 1,870; and Brackley, with a population of 2,001, were both disfranchised, although one of them had 600 inhabitants more than the preserved borough of Midhurst. Again, Newton in Lancashire, with a population of 800 more than Midhurst, was also to be sacrificed. Taking the book, then, before them as their guide, he would ask, was it possible for them to see that there was anything so peculiar in the case of Midhurst as to take it out of the general rule? It was not its wealth or its population that formed the ground of the exception; but they were told, that Midhurst possessed the groundwork of a good and new constituency; but surely there was no man, making a pretension to common sense, who would not say, that the greater the population the better was the groundwork for a good and new constituency. The promoters of the Bill, if they proceeded upon any principle whatever, appeared to adopt three elements—the population as presumed from the number of houses, the number of 10*l*. houses, and the amount of assessed taxes. He had, in some instances, taken the sum of population of 10*l*. houses, and of assessed taxes, and he compared Midhurst with Newton, and the result of that comparison was anything but favourable to the views of noble Lords opposite. He had taken the elements which the promoters of the Bill recognised, and, applying them to the case of Midhurst, he found they would be represented by the number of 2,509; but Newton was represented by a sum of 2,797. These were facts which no man could deny, though, as schedule A was disposed of, he should not have entered into the question, if it had not been for the imputations cast upon some of these boroughs by the hon. Member.

Lord *John Russell* said, he would not reply at much length to the speakers on the other side, for he had no desire to make it necessary that the House should sit on Saturday. The right hon. Gentleman who had just sat down, attacked Midhurst on the ground of population, but there was little consistency in that, for the right hon. Gentleman and his friends, during the discussion on the former Bill, continually declared, that wealth was the only true criterion, and that the respectability of boroughs was to be judged of, not according to the number of inhabitants which they contained, but according to the amount of assessed taxes which they paid. In fact, the retention of Midhurst was in consequence of the cry which had been raised about assessed taxes. After having heard, for several months, complaints made against the Government for adopting the principle of population, he was surprised that the right hon. Gentleman should now discover that population was the chief element for Representation. The cases of these boroughs which the hon. Gentleman had quoted, however, showed that numbers were not a sign of wealth, and as the basis of this Bill was wealth and numbers combined, Midhurst had a greater share of the aggregate of both than the places which were disfranchised.

Mr. *Croker* said, that, to hear the noble Lord, any person would imagine that he had commenced the discussion with respect to population. When an hon. Member introduced the question of population, was he (Mr. Croker) not obliged, in honour and conscience, to show that there were other boroughs which were better entitled than Midhurst to be preserved on the ground of population? When the former Bill was under discussion, he objected that Ministers did not apply their rule of population accurately. For instance, in the case of Calne, they took in a parish, and, in the case of Sudbury, they omitted one; and his objection to-night was, that they did not apply their new rule accurately. Although he was ready to admit, that he thought wealth added to population, was an improvement on the basis of the Bill.

Sir *Charles Wetherell* complained, that whenever hon. Members at his side of the House applied themselves closely to discuss the merits of any particular borough, the noble Lord opposite was accustomed to get up and threaten them with the gloomy day of Saturday. He contended that there could not be a greater discrepancy than between the cases of Midhurst and Appleby. The announcement that there was to be a liberty added to the borough of Midhurst was proof positive that even its advocates knew it was too small to answer their purpose. It was well known that there was scarcely any borough more limited in its burgage tenures than was Midhurst, and if the present proprietors lost their influence, it was just the sort of place where some other influence would be found to prevail.

Lord *Althorp* disclaimed any wish to prevent the full and fair discussion of the case of any borough by a threat of sitting on Saturday. As to the question then before the Committee, he should, without the slightest apprehension of successful contradiction, affirm, that there was no one who took the trouble to examine the question, could for a moment doubt that Midhurst was properly placed; they estimated its population by its houses, and its wealth by the amount of the assessed taxes paid; the rule was stated to the House in which the Ministers intended to proceed before it was applied.

Mr. *Croker* observed, that the conversation of that evening afforded another evidence, if any were wanted, that "the school master was abroad;" for whenever in that House they proved unruly boys, they were threatened that Saturday should be no holiday.

Colonel *Conolly* said, that when the unjust decision, which he foresaw the House would come to on that question, went forth to the public, it would excite nothing but unmingled indignation.

Question, that Midhurst stand part of schedule B, agreed to.

The following boroughs were also placed in schedule B:—Woodstock, Oxfordshire; Wilton, Wiltshire; Malmesbury, Wiltshire; Liskeard, Cornwall; Reigate, Surrey; Hythe, Kent; Droitwich, Worcestershire; Lyme Regis, Dorsetshire; Launceston, Cornwall; Shaftesbury, Dorsetshire; Thirsk, Yorkshire; Christchurch, Hampshire; and Horsham, Sussex.

On the question that Great Grimsby, Lincolnshire, stand part of schedule B,

Lord *Loughborough* said, if he could agree in the principle which the noble Lord had laid down, he would not say a single word in behalf of Great Grimsby, for he was aware that, according to such principles, that borough came within the line of partial disfranchisement; but he had always understood the real object of the Bill was, to get rid of corrupt and nomination boroughs, and most assuredly the borough which was before the Committee did not deserve that character. In his opinion, Great Grimsby ought not to be deprived of one of its Representatives. He and his hon. colleague had been returned for the borough by an independent constituency of upwards of 400 persons, in spite of the influence of a noble Lord, who resided in the neighbourhood, and possessed considerable property adjacent to it; and also in spite of the influence of the Government, which, he must say, was not exercised in a constitutional manner upon the occasion. He did not accuse Ministers of acting designedly against their own principle, but he did not hesitate to say, that if Tavistock was to be allowed to continue to return two Members, whilst Great Grimsby was partially disfranchised, the effect of the rule adopted by Government would be to preserve what was absolutely a nomination borough, and to disfranchise a borough having 400 free and independent electors, which was the case with Great Grimsby. He did not intend to divide the House upon the question, but he would contend, that Great Grimsby was much more deserving of the privilege of returning two Members, than many of the places which retained that privilege under the Bill.

Mr. *Croker* perceived the boundary line had been settled on the authority of an ancient perambulation, and he trusted that the noble Lords would see in this a sufficient reason for revising the case of Appleby.

Mr. *H. Fitzroy* was bound, in justice to his constituents, to say, that since 1821, the population of Great Grimsby had been increasing every day, and he thought that that place was likely shortly to become one of the most important seaports of the kingdom. As the borough now stood, it was an independent borough; but he was convinced that, as soon as the 10*l.* householders were admitted to vote, that the whole influence of the place would be thrown into the hands of the noble Lord to whom his noble colleague had already alluded. They had heard a great deal about gentlemen offering up their boroughs on the shrine of patriotism; and the conduct of an hon. Gentleman, with respect to Midhurst, had been particularly alluded to; but he begged, on the part of his constituents, to say that, they were proud of the honour of returning two Members to that House; and that it was their most anxious desire to retain that privilege. He could not venture to hope that the noble Lord would listen to his representations; but he should have been deficient in the duty which he owed to his constituents if he did not entreat the Government to take the matter into its consideration.

Alderman *Waithman* stated, that the borough of Great Grimsby was notoriously corrupt; both electors and candidates had assured him of the fact over and over again. If independence had been displayed in returning the present Members, then he could only say, that the borough must have been reformed of late.

Mr. *Croker* would ask the hon. Alderman if he had never heard of corruption existing in the borough of Liverpool, and how he had voted when the question of that place was before the House? He would put it also to the hon. Alderman, whether his having heard that corruption existed in Great Grimsby some years ago was proof of its existence now? When a division of the House should take place regarding Wallingford, he hoped, for once in his life, to have the honour of voting with the hon. Member.

Alderman *Waithman*, in reply to the right hon. Gentleman, said, that he had happened to be absent from the House on the occasion of the Liverpool question; and he knew that the corruption of that borough bore no comparison to the abuses which prevailed in those strongholds of corruption where voters were paid.

Mr. *Croker*: will the hon. Gentleman vote for allowing Wallingford a higher place in the Bill?

Alderman *Waithman*: I shall see, when we come to that.

Mr. *H. Fitzroy* thought it somewhat uncourteous of the hon. Alderman, after the statement made by his noble colleague and himself, to assert that Great Grimsby was corrupt. Neither money nor any other inducement was promised or given by him or his noble friend at the late election.

Question that Great Grimsby be included in schedule B, agreed to. Calne, Wiltshire, and Arundel, Sussex, were also placed in schedule B.

Upon the question that Dartmouth, Devon be inserted in schedule B,

Sir *Henry Willoughby* suggested, that, as some information had been laid before the House only that evening, relating to the assessed taxes paid by this borough, the consideration of the case should be postponed.

Mr. *Baring* did not think it of much importance whether this borough paid a few taxes more or less. He objected to the principle on which it was proposed to disfranchise an old sea-port of considerable importance. Dartmouth, as a sea-port, had important and peculiar interests to defend, and was one of those places which no former House of Commons would have ever dreamt of disfranchising. He was not for putting the case of one borough against that of another, but, in his opinion, the case of Dartmouth proved as strongly as any other the evil of the principle on which this Bill proceeded. There were many instances in which boroughs now exempt from corruption would be open to the grossest corruption after the passing of this Bill. He did not know how far this might be the case with Dartmouth, but it was the case in many other instances. There was the case of Midhurst, for instance. Knowing his hon. friend who possessed property in that borough, he was satisfied that nothing had passed with respect to the Representation of that borough which might not be exposed in open day. When the borough was opened to the 10*l.* householders, however, he believed it would be impossible to prevent corruption. The noble Lord (Lord John Russell) was about, very appropriately, to follow this Bill by a bill to prevent bribery and corruption. The noble Lord seemed to feel that this Bill would produce corruption, and that it was necessary to provide against it; but, without knowing anything of the bill about to be introduced, he would venture to predict that it would not be effective in preventing the corruption which would follow from this Bill.

Mr. *Holdsworth* said, that he and the hon. Baronet, who had alluded to the recent appearance of the papers relative to Dartmouth, had always been opposed to each other on this Bill; but, nevertheless, he was quite ready to support that hon. Baronet in the view that he took of the case of Dartmouth, for he believed it was a place, as regarded its trade and harbour, which deserved to be supported. One point worthy of notice was, that a great defalcation in the taxes of the place had occurred, owing to a man having run away; and these papers related to that fact. What they contained he did not know; for it was only since he had come to that House that evening that they had reached him; but he certainly had been told that the defalcation was sufficient to bring up the borough to the standard which the noble Lord had set up as adequate for the preservation of the right of franchise. With these few words of explanation, he would leave it to the noble Lord to say whether the borough of Dartmouth ought not for the present to be postponed.

Captain *Bastard* begged to add, as representing the borough of Dartmouth, that he had not yet seen the papers to which allusion had been made: and he trusted that that might be deemed a sufficient reason for requesting the postponement of the question.

Lord *John Russell* had already stated in numerous other instances, if there was any thing in these papers to alter the complexion of the case, that it would be competent to the hon. Gentleman to re-introduce the subject on the bringing up of the Report of the Committee; but he certainly must say, that he had heard nothing to induce him to think that they were acting with any unfairness or injustice towards Dartmouth. The only point that had been stated was, that the tax-collector of the place had run away, and not accounted for his receipts. Now, if these had been the proper assessed taxes for the place, and that person had persuaded the Tax-office that a smaller amount of taxes than was actually collected was correct, there might be something in the objection. But he had been informed from the Tax-office, that it was the Surveyor of Taxes who had made out the assessment for Dartmouth; and that the collector had taken on himself unduly to increase that assessment; therefore, though this was a proof of great dishonesty on the part of the collector, it in no wise proved that the assessment returned in the Lists was a wrong assessment. Since this discovery had been made, a fresh levy for half-a-year had taken place, the amount of which was 370*l.*, which, for the year, would give 740*l.*, to which, adding supplementary taxes to the amount of 27*l.*, the total result would be 767*l.*, and this was the sum stated in the Commissioner's Report. It was true, that Gentleman had received various statements from Dartmouth, but each of these statements differed from the other, and he, therefore, thought that they could not be safely relied on. On the 26th of January an account had been rendered, which made the number of houses 728; and now, from a more recent survey, the number was said to be 767. It was true that, according to the Commissioner's Report, the number of 10*l.* houses amounted to 400; but he understood that this, in a great measure, arose from several persons living together in one house, the effect of which generally was, that the rent ran higher than when occupied by only one family or person. For these reasons, he did not see why the question as to the borough of Dartmouth should be postponed, more especially as its trade was far from being flourishing, a large portion of it having left Dartmouth for other places in the neighbourhood.

Sir *Henry Willoughby* said, it had been his wish, on the present occasion, to refer to the documents which had just reached him, but what had fallen from the Lord made it imperative on him to state what was his view of the borough of Dartmouth. In the first place, he begged to say, that he was decidedly of opinion that there were circumstances connected with that borough which entitled it to retain both its Members — circumstances connected not only with the details of the Reform Bill, but likewise with the principle. The preamble of the Bill stated, that its object was the disfranchisement of inconsiderable places, and the title referred to poor and decayed boroughs. Now, if he could show, that Dartmouth was neither poor nor decayed, and if he could also show that it was more considerable than many of those that were to retain their twofold right of Representation, he trusted that the Committee would pause before it proceeded to pass the *fiat* of its disfranchisement. The Government had thought proper to lay down a rule as a guide for the proceedings of the House with respect to disfranchisement. With this he by no means found fault; on the contrary, he thought that it was prudent, for they, by that means, avoided all suspicion of favouritism or partiality; but he contended, that the borough of Dartmouth did not fall within the rule which the Ministers had laid down. No less than eighteen boroughs were now removed from schedule B, which, by the former Bill, had been included in it; but all the arguments which had been used to show the justness of their removal, might be applied with still stronger force to the borough of Dartmouth. Besides which, it was worthy of remark that a few months ago, when the borough of Dartmouth was not included in the schedules, no invidious allusion had ever been made to that place as to Calne, and Tavistock, and others, for the purpose of contending that Dartmouth had been improperly favoured. Dartmouth was a sea-port, with one of the finest harbours in the country attached to it, into which every year came thousands of tons of shipping. In addition to this, it was the centre of a considerable district of maritime jurisdiction; and there were actually belonging to that place upwards of 30,000 tons of shipping. The Report of the Commissioners placed the population at 4,640; but he was told, that taking into the account the number of seamen belonging to the place who were constantly on the move, the population might fairly be reckoned at above 5,000; in which case it exceeded in population thirty-four of the boroughs that, under this Bill, were still to retain their two-fold Representation. Take, for instance the borough of Lymington: there the number of inhabitants was but 2,720; so that Dartmouth nearly doubled it in population. He had nothing to say against the calculations of Lieutenant Drummond, neither was he going to make a mathematical speech to the Committee: but he could not help disputing the data of that Gentleman, and he could not help thinking that Dartmouth was hardly dealt with. According to the first List, the number of houses that it contained was 537—according to the second List, it was 634; and when the returning officer was asked the same question, his reply was "662." These different statements having been made, the inhabitants of Dartmouth had deemed it advisable to employ a Surveyor. He had been sworn to the accuracy of his statement, and, according to him, the number of houses was 767, exclusive of all those which could not be strictly termed tenements. Then, if this latter statement was correct, and applying, in Lieutenant Drummond's rule, to 767 houses, and 768*l.* of assessed taxes, the product would be sufficiently high to take the borough out of schedule B. But he thought that he could carry the matter still further, by examining into the question of the assessed taxes; though that would be somewhat more complicated. Inquiry had been made respecting the assessed taxes, and these facts had been ascertained. The Commissioners of Taxes found out, towards the end of 1830, that a fraud had been committed by the collector; and, in a letter which they had addressed to the Tax-office, they had stated, that, on inquiry, they had found that a fraud had taken place on the revenue to the amount of 200*l.* and upwards; that they had already discovered 103 cases of fraud; and that they knew that many more existed. And here he would observe, that the noble Lord had not been quite correct in his statement; for it was the collector that had made the assessment; and the way that he committed the fraud was, by charging the full assessment, and then, instead of returning the full amount to the Tax-office, he only returned a smaller sum; or, in other cases, returning houses as empty which was full; by which he was enabled to pocket the difference. He had been also given to understand, that it could be proved that, in 1829-30, at least 901*l.* had been paid by the inhabitants of Dartmouth; and though it was true that it was in the year 1831-32 that the noble Lord took his station, he thought that the year 1830-31 was some criterion; besides which, he had reason to believe that a similar amount could be shown during the last year, for there was a letter from the Surveyor of Taxes, which stated, that the accounts were not even so complete as on the previous year, and that the matter would not be altogether cleared up till the end of the year. Now, if the amount of taxes was taken at 901*l.* with the Commissioner's list of houses, this again would take Dartmouth just out of the schedule B list; but if, as he contended, the true amount of taxes and the true amount of houses were taken, Dartmouth would be taken as high up the list as No. 95, which would place it far beyond schedule B, which stopped short at No. 86. The noble Lord had taken the deficiency of taxes at only 200*l.*, while he had every reason to believe that it would amount to double that sum. He felt, however, that he should be doing an injustice to this borough, if he did not endeavour to place its claims upon still higher grounds. It appeared that Dartmouth contained 411 10*l.* houses, which was about the same number as Guildford and Dorchester contained; but he would take the matter further than this—he begged to remind the Committee, then, that Dartmouth had a greater number of 10*l.* houses than thirty-four boroughs which were to retain two Members. It had a greater number of houses than three of those boroughs put together. Bodmin, Thetford, and Marlow, had, between them, only 680 houses; they were to return six Members, two for each—and yet those three boroughs had not a greater number of 10*l.* houses than the borough of Dartmouth, which was about to be deprived of one of its Members. When taking into account the amount of taxation furnished by any town—if that town happened to be a sea-port, as in this instance—he contended, that it was not right to exclude from the calculation the taxes paid by shipping. The assessed taxes did not touch the mass of capital employed in shipping. There were instances in Dartmouth in which persons had realized 500,000*l.* in the shipping trade, and did not pay above 12*l.* a year to the assessed taxes. The assessed taxes formed only a small part of the taxation of the country. The Customs and Excise formed the principal part of the revenue, and the assessed taxes were not more than the one-thirteenth. In fact, the amount of the assessed taxes paid by any particular place was quite an accident, and the levy of them was extremely arbitrary. If the assessed taxes were to be taken as the criterion, Brighton and Cheltenham would appear to be the most important towns in the kingdom. They would be more important than Leeds or Sheffield. Dartmouth was not a great thoroughfare—it was not a place in which, from its position, there could be many horses or carriages used. There were no dogs or game licenses paid for there, as there was nothing to shoot but water-fowl; and in every view in which it could be considered, it was most unfair to put the question as to its importance or respectability on the amount of the assessed taxes received there. In arguing the case, he felt that he was advocating the interests of others, and not his own. Considering its absolute and relative importance, he trusted the Committee would feel that Dartmouth ought not to be disfranchised. Before this Bill was introduced, it contained 381 houses assessed to the Poor-rate above the value of 10*l.* This was more than could be said of Lymington, Chippenham, Bodmin, and Totness. Taking all these things, conjoined with the shipping importance of the borough, into consideration, he would venture to say, that, not from the very first day on which there had been a House of Commons in England—not from the 49th of Henry 3rd up to the present moment, had there been an instance of a town, so situated as Dartmouth, being disfranchised; and he would further add, that if the House was determined, in spite of all these things, to disfranchise that borough, it must be on some other principle than that laid down by the noble Lord; but, if there was one thing more important than another in this very important Bill, it was, that they should clearly keep to some intelligible rule of conduct. He had heard it said, that it was a matter of very little importance whether Dartmouth had one or two Members. That might be the case with respect to the community at large; but it was of the last importance for the House, to take care that it did not deprive any town of its franchise without some distinct and undeniable reason; and such a reason appeared to him to be entirely wanting in this case. He, therefore, thought, that those who, like himself, were anxious to see the Bill pass into a law, ought to lend him their best assistance in relieving the measure from an enactment which, he was convinced, would be viewed as a stain upon it.

Lord *John Russell* said, that he had only one remark to make in reply to the speech of the hon. Baronet, and that was called for by his observations on the amount of assessed taxes paid by the borough of Dartmouth. The Government was desirous of adhering to one rule and to one principle in its mode of dealing with all the boroughs which it was now proposed to disfranchise, and the only difference which existed in this instance between himself and the hon. Baronet was, as to the facts to which the rule and the principle of the Government was to be applied. The hon. Baronet said, that the collector at Dartmouth had made the assessment at Dartmouth, but that the real assessment amounted to 200*l.* more than was reckoned for Dartmouth in the list supplied by Lieutenant Drummond. Now, the amount furnished to Lieutenant Drummond had been taken from the returns furnished to the Government by the Surveyor of Taxes, and he was informed, that the amount of the assessed taxes for the next year had been estimated at the same value as the amount for the past year. There appeared to be no improvement or increase of trade in the borough, which was rather in a declining state, but as there existed a difference of opinion as to the amount of the assessed taxes paid by the borough of Dartmouth, he thought it only right to postpone the consideration of the vote on this borough until the House was in possession of further information on the subject.

Mr. *Holdsworth* said, both as the Member and an inhabitant of Dartmouth, he must deny that there had been any decrease in the trade of the borough of Dartmouth, save in its trade with the island of Newfoundland, and the decrease in that branch of trade was owing to nothing else than the change which had been made in the commercial policy of this country. The coasting trade, instead of being diminished, had increased, and it appeared, by the returns of last year, that 103,000 tons of shipping had entered and departed from the port on this service, and 19,757 tons on foreign voyages.

Captain *Bastard* said, that if Kingsford, which was only on the other side of the river on which Dartmouth stood, and was connected with it by a ferry, were added to Dartmouth, that borough would be taken completely out of schedule B. He begged leave to call the noble Lord's attention to Totness, before he consented to disfranchise Dartmouth.

Mr. *Croker* said, that if Dartmouth was to be saved, he did not think that Totness was in most danger, and to prove that, if fair play was practised, he would take that opportunity of repeating a statement which he had made in an early part of the evening, and in a thin House, respecting the relative importance of Dartmouth and Tavistock. In his opinion there were four elements, which ought to be taken into consideration when they were deciding on the comparative importance of different boroughs. These were, first, the number of inhabitants which a borough contained; next, the number of its 10*l.* houses; then the number of houses of every description and value; and lastly, the amount of assessed taxes. When these elements were added together, the importance of one borough, as compared with that of another, was seen by a comparison of the different sums. That must be a correct calculation, even according to Lieutenant Drummond's principle. Now, according to that calculation, Dartmouth, which stood 79 on the list of Lieutenant Drummond, was a borough of greater importance than Tavistock, which stood 95 on the same list. For instance, at Dartmouth there were 4,996 inhabitants; 411 10*l.* houses; 634 houses of all descriptions; 768*l.* assessed taxes; which, if his calculation was correct, amounted altogether to 6,809. At Tavistock there were 4,338 inhabitants; 269 10*l.* houses; 624 houses of all descriptions, and 1,124*l.* assessed taxes, which, if his calculation was correct, amounted to 6,355. Now, 6,355 was considerably less than 6,809 and, therefore, he, as an unlearned man, and no mathematician, should have supposed that Tavistock was of less importance than Dartmouth. Besides, there was another point of great importance as to the new elective franchise in Dartmouth and Tavistock, which ought not to be overlooked. Dartmouth had 411 10*l.* houses; Tavistock had only 269.

Lord *Althorp* said, the right hon. Gentleman knew they had not proceeded on the principle which he laid down in this instance of adding the four elements together, and taking the total as the test of the comparative values of boroughs—therefore, the right hon. Gentleman's calculation was quite inapplicable.

Lord *John Russell* believed that the Committee had been favoured with this calculation before, and a very curious calculation it was, but not altogether according to the ordinary rules of arithmetic. The Committee, however, could not be so blind as not to perceive that, in this calculation, the right hon. Gentleman had reckoned the number of 10*l.* houses in each borough twice over. First, he had reckoned them as 10*l.* houses, and then he had lumped them in with the whole number of houses. How any result formed in such a way could be of use in guiding the decisions of the Committee he could not for his life conceive, for it was formed upon a basis that was evidently erroneous.

Mr. *Croker* said, this was the second time to-night, and the fortieth time in the discussions on this Bill, in which the noble Lord had taken upon himself the task of being his (Mr. Croker's) schoolmaster. He was sorry to say, that hitherto he had not profited by the noble Lord's instructions. Whether that was owing to the noble Lord being a bad master, or to his being a dull scholar, he could not say. He would, however, strike out of his calculations the total number of houses in both places, which, as they had nothing to do with the franchise, it was, perhaps, only right to strike out. He would confine himself to the three elements, and he would say, that, even then, the importance of Dartmouth was superior to that of Tavistock, in the proportion of 6,175 to 5,731. If the noble Lord, upon further examination, did not see just grounds to erase the borough of Dartmouth from schedule B, he would undertake to prove, the next time this vote came under consideration, that there were five or six towns which were to return two Members to Parliament, inferior in importance to the borough of Dartmouth.

Mr. *Courtenay* said, there was some confusion in the returns relating to Totness: the houses were stated in different numbers, and the parish and the borough appeared to be confounded in such a manner, that he was at some loss to understand the actual state of the place.

Mr. *Stanley* said, there was one complete return before the House relating to that borough, which made the number of houses in it 376, of which number two were unoccupied. In the town adjoining, but not within the limits of the borough, there were 126 houses, of which eight were empty, and in the parish, exclusive of the borough, there were seventeen houses, of which five were empty; the result was 374 houses occupied within the borough, and 130 out of its limits, making a total of 504 occupied, and fifteen unoccupied, houses.

Mr. *Praed* said, he had not troubled the Committee with any remarks relating to the cases of any particular borough hitherto, either in the previous schedule, or in that they were now discussing, but he thought the case of the borough of Dartmouth was the strongest instance that could be urged in favour of the objection he entertained to the whole principle of the disfranchising clauses of this Bill. In the observations which he had addressed to the House on the second reading of the Bill, he had urged that, in his opinion, Lieutenant Drummond's principle was incorrect, but that, even allowing it to be perfectly right, yet that no arithmetical or mathematical principle whatsoever could possibly be a ground upon which they could build a correct judgment as to the relative importance of particular boroughs, for local circumstances must necessarily be taken into consideration. Here was a direct proof of the correctness of that argument. Allowing Dartmouth was not of much importance in itself, yet its situation, its harbour and trade, in which centered the resources of the adjacent district, made it necessary that its Representatives should be continued. All these considerations, however, were wholly excluded by the principles on which this Bill was founded. In this view of the subject, he regretted that the arguments which had been addressed to the House by the hon. Baronet, in favour of this particular place, had not been urged against the principle of the Bill itself, instead of their being narrowed to save a particular borough.

Mr. *Rigby Wason* said, this was merely a question of justice, whether Dartmouth or Totness, which stood next to it on the list, was to lose one of their Representatives; and, after the arguments that had been urged, he found it impossible to vote that Dartmouth came within the principle of disfranchisement. If the Committee were at liberty to extend the schedule to thirty-one instead of thirty, he should have no objection to include both the boroughs within it, but, as it was to be confined to thirty, he thought Totness was, of the two, the place of the least relative importance.

An *Hon. Member* said, that Totness was unduly raised in importance, by having a portion of a parish on the opposite side of a river added to it, while the same justice was denied to Appleby in the case of Bondgate.

Mr. *Ord* said, the same plan had been pursued in both places; the limits had been drawn by straight lines from one boundary mark to another; the Commissioners had exercised no discretion, in either place, whatever.

The case of Dartmouth postponed.

The next question was, that "St. Ives, Cornwall, stand part of schedule B."

Mr. *Mackinnon* stated, that, upon one occasion, he had stood a contest for this borough. The electors, who had then supported him, had instructed him to state, that there were 1,102 houses in the borough, and that it was now in a very thriving condition.

Mr. *Long Wellesley* said, that he stood in a certain relation to that borough, but he had not received instructions from its inhabitants to make any such statement.

Question agreed to.

"Rye, Sussex," and "Clithero, Lancashire," also added to schedule B, without any discussion.

On the question, that "Morpeth, Northumberland," stand part of schedule B,

Mr. *Croker* said, that if the borough of Appleby had been treated in the same manner as the borough of Morpeth, Gentlemen on his side of the House would have had no grounds of complaint. At Appleby, the Commissioner had delighted in straight lines and acute angles; but, if the plan of Morpeth were examined, it would be seen, that the boundary stones were not joined by straight lines, but with two yellow lines with slight waves. He did not say that this was not right, but it was singular enough that these waving lines ran through the property of William Ord, Esq. He could only wish that William Ord, jun., Esq., the Commissioner at Appleby, had made use of the same zigzag kind of line.

Lord *Milton.*—Was William Ord, jun., Esq., the Commissioner at Morpeth?

Some Member, with great indignation, vociferated "No."

Mr. *Croker* declared, that that was the very point which he lamented. He wanted to have had at Appleby the same Commissioner, who, he had no doubt, would have done the same work in the same excellent—he would not say impartial, because that might seem to cast an imputation upon other individuals—but in the same workmanlike manner. He heartily wished that the same Commissioner had gone to Appleby as to Morpeth.

Lord *John Russell* said, that the Commissioner at Morpeth had done no more than he ought to have done—namely, added what was properly part of the borough.

An *Hon. Member* said, that if the parish of St. Michael, Bondgate, had been taken into the borough of Appleby, it would have availed little to the right hon. Gentleman and his party, for, under the new Bill, Appleby, if an electoral town, would certainly send a good Whig to Parliament.

Question agreed to.

On the Question that "Helston, Cornwall," stand part of the same schedule,

Mr. *Croker* said, that in pursuance of the notice which he had given, he rose to call the attention of the Committee to the claims which the borough of Helston had, to be excluded from schedule B. At the point at which they had now arrived in this schedule, the House of Commons ought to consider itself not so much a legislative as a judicial assembly; for Members were now called upon to decide, not a question of policy, but a question of right. He was not going to appeal to the Committee at present, either against the principles of the Reform Bill, or against the mode of applying them. He was going to ask the Committee to adjudicate impartially on the case of Helston, and to consider calmly whether Helston was not entitled to that justice which he was now going to ask for it. The case of Helston lay in a very narrow compass, and he should be able to place it distinctly before the House in less than five minutes. There were two elements on which boroughs were to be disfranchised—the number of houses, and the amount of assessed taxes. With regard to the number of houses in Helston, he made no question; but the Committee would, perhaps, recollect, that, on a former occasion, he had stated, that, in some boroughs, a part of the assessed taxes paid had been omitted, and that, in others, a part had been added. The amount of assessed taxes omitted in the borough of Helston amounted to 41*l.* If this were added to the amount furnished to Lieutenant Drummond, it would raise Helston in the scale of importance from eighty-four to eighty-six. He believed, from private communications which he had had with the noble Lord opposite, that thus far they were both agreed.

Lord *John Russell* said, that it would only raise Helston to 85.

Mr. *Croker* would not dispute that point, because the addition of 41*l.* was not sufficient of itself to take Helston out of schedule B. There was, however, another circumstance which would give it that exemption, and to which he wished to call the particular attention of the Committee. The assessed taxes of Helston were short-stated by the sum of 75*l.* In the return, the short statement was given as 57*l.*; but he was informed that that was a clerical error, the figures 5 and 7 being transposed. But 57*l.* would do for his purpose quite as well as 75*l.* That 57*l.* was the amount of the assessment to which the members of the Yeomanry cavalry of Helston would have been liable for their horses, had they not been in the Yeomanry cavalry. He submitted to the Committee, that, in taking the value of the assessment of taxes, nothing could be more unfair than to strike out of it the exemption granted to individuals for public purposes. Was it fair that a town should suffer a permanent injury, because its inhabitants were patriotic enough to contribute their services to maintain the general tranquillity of the country.

Lord *John Russell* said, that if the suggestions of the right hon. Gentleman were adopted, it would introduce an entirely new principle. It was impossible that the exemptions should be included in the returns of the assessed taxes. If they included exemptions for Yeomany cavalry, they might include exemptions for farm horses, and for farm servants. With respect to the Yeomanry exemptions, he believed it was well known that many persons entered the Yeomanry in order that they might keep horses without paying the taxes.

Mr. *C. W. Wynn* said, the policy of every succeeding Government for the last thirty-five years had been to encourage individuals to enter into the Yeomanry, and heretofore it had been considered a distinction for a town to have a troop, but now it appeared it was to operate as a punishment. It was a hard reflection for such persons, after they had come forward to assist their country in the day of need, upon the most patriotic motives, to find those exertions, which ought to give the town of Helston a claim on public favour, a ground for inflicting on it a permanent injury.

Lord *John Russell* had no intention of imputing blame to the Yeomanry, and his right hon. friend might as well have said, that he wished to ruin agriculture when he objected to the exemption for farm servants, as that he was casting imputations on the Yeomanry, when he stated, that these exemptions ought not be included. On account of the well known fact that abuses prevailed in the exemption of horses from the tax, certainly nothing like so many would have been kept but for this exemption.

Sir *Richard Vyvyan* thought that Helston, in relation to other towns, had no right to keep two Members; but, in relation to the elements of Representation, as laid down by the noble Lords, it had. Being interested in the question, he ought, perhaps, to take no part in it; but he would say, that the Commissioners had made a mistake in their report, which he should discuss at the proper time. With regard to the Yeomanry of that borough he was particularly connected with it, and he could say, there were no abuses of the kind described by the noble Lord, the individuals composing it had come forward to be re-embodied on the disturbances which prevailed two years since, breaking forth, and it had been very instrumental in suppressing riots in the neighbourhood.

Mr. *C. W. Wynn* said, he believed the remuneration and exemptions to which the Yeomanry were entitled, was not sufficient to recompense them for their loss of time and expense, and it was impossible to deny, that their services had been very meritorious upon many occasions.

Mr. *Hunt* said, he could not agree in the objections stated by the right hon. Gentleman (Mr. Wynn); for he saw no reason why the borough of Helston should have an additional Member, because it had a Yeomanry corps. Towards all such bodies he entertained no friendly opinion, and he spoke feelingly. He knew it to be a fact, that many of the members of the Yeomanry corps were in the habit of enrolling themselves, merely for the purpose of saving the horse tax; and that, on review days, they were in the habit of sending their horses out with butchers' boys and apprentices on their backs to do the duty. It was a fact, and he knew it.

Mr. *Trevor* said, he had the honour to be a member of a Yeomanry corps; and he, on their part, repelled the insinuations of the member for Preston, with an indignation which could be only exceeded by his contempt. The members of the Yeomanry corps were taken from a class of men to whom the payment of the horse tax was a matter of very little consequence.

Mr. *Pigott* said, it was an extraordinary proceeding, on the part of Government, to make an exemption which had been granted to individuals in return for public services; a ground for depriving a borough of Representatives.

Mr. *Hunt* said, the hon. member for Durham (Mr. Trevor) boasted that he belonged to the Yeomanry; but really, if he had not heard it from the hon. Member's own mouth, he could not have believed it. He was sure, however, that the hon. Member must be an officer; for, if he had been a private, he could not have got out of the awkward squad. He knew some of the Yeomanry, and spoke of them as he had found them. Of the hon. Member he knew nothing, but this he would say, that if the hon. Member was a sample of the Yeomanry, he hoped the Lord would keep him out of their way.

Mr. *Trevor* would only put it to the good taste and feeling of the Committee, whether the course pursued by the member for Preston was not quite unparliamentary.

Mr. *Praed* said, he begged to recall the attention of the Committee to the question immediately before it, which was, whether an exemption from a particular tax granted to individuals on account of public services rendered, was to disqualify a borough from sending Members to Parliament, by the exemption not being allowed in the amount of taxes by which one of the tests of qualification was to be calculated. The noble Lord said, this exemption could not be allowed, because more horses were kept on that account than otherwise would be, and, therefore, the amount of the exemptions, added to the actual sum paid, was no criterion of what would be paid, if there were no such exemptions allowed. But how did this argument bear upon others which the noble Lord and his friends had advanced, when they asserted, that voting for Members of Parliament was not a privilege, but ought to be considered a duty. If that was the case, the amount of exemptions ought to be included, because no compensation could be given, if a duty was to be done, but if, as was asserted by himself and his hon. friends, voting was a personal right and property, then the noble Lord might say, that a man ought not to be entitled to vote, on account of his exemption from any particular tax, he having received compensation for his services in the circumstances of being exempt from the payment of the tax. The noble Lord appeared to have maintained opposite arguments, and he would, of course, take which of them suited his present purpose.

Mr. *Croker* could not but remark on the course pursued by his Majesty's Government with respect to Dartmouth, and that followed in the present instance. The noble Lord opposite (Lord John Russell) had said, in the case of Dartmouth, that he did not look to the amount of assessed taxes paid, but to the amount of the assessments; and, in the present case, the noble Lord said, he looked not at the assessments, but at the amount actually paid. This had been advanced by the noble Lord in reply to the hon. Baronet (Sir H. Willoughby) who had argued the case of Dartmouth, and he (Mr. Croker) begged to ask what was the meaning of the Reform Bill, if such inconsistencies were pursued. The course pursued by Ministers in this instance had not been fair. It was too much to deprive the inhabitants of the dearest right of an Englishman, by the rule used with respect to the payment of assessed taxes. They ought, in the first instance, to have told the inhabitants or freemen of the borough that it was their intention to deduct from the amount of the assessed taxes chargeable on the town the exemption claimed for service in the Yeomanry corps. By not doing this they had caught them in the trap which deprived them, in this instance, at least, of one Representative. He could not bring himself to think that the House of Commons would be a party to such a proceeding.

Sir *Horace St. Paul* said, the charge the noble Lord had made against the Yeomanry was, in his opinion, unfounded. He believed they were a meritorious description of force, and had been found very useful on many occasions.

Lord *John Russell* said, that it never had been his meaning or intention to cast any imputation on the Yeomanry, and, if such had been supposed, the House was entirely mistaken. The question he conceived to be entirely distinct from the merits of the Yeomanry, though he was ready to admit, that, but for the exemption, it was by no means certain so many horses would be kept as would raise the assessed taxes chargeable in the borough in question within the limits provided by the Bill.

Lord *Valletort* remarked, that the Yeomanry force had been the only available one during periods of great excitement and alarm in the district now alluded to. They had been the first to stand forward in distressed times, and it was too much for the House of Commons to turn round upon them and say "You shall be punished for the services you have done in enrolling yourselves for a laudable public purpose."

Mr. *C. W. Wynn* said, that the assessments of the Yeomanry horses had been ascertained, and it was only necessary for the Yeomanry corps to be disbanded, in order to enable the amount to be levied, and consequently to entitle the amount to be accounted as part of the returns of the borough.

Mr. *Croker* did not wish to negative the present question, but he thought a postponement of its consideration expedient in order to give time to the noble Lord opposite to meet the objections which had been raised.

Lord *Althorp* could see no reason for postponing the question, which was one for the Committee to decide, namely whether or not the exemptions claimed by the Yeomanry from the payment of horse duty were to be admitted as part of the amount assessed upon the town of Helstone. He was disposed to think it would not be safe to admit the exemption, and he should, therefore, press the question.

Mr. *C. W. Wynn* conceived that the payment was only suspended because the town had been assessed to a certain sum. If the Yeomanry were reduced, the exemptions would cease, and the payments would be made.

A division then took place, when the numbers were:—Ayes 256; Noes 179—Majority 77.

The borough of Helston was then ordered to stand part of schedule B.

The Chairman reported progress. Committee to sit again on the following Tuesday.

List of the Ayes.

England.

Althorp, Visc.
Anson, Hon. Col.
Astley, Sir J. D.
Atherley, A.
Bainbridge, E. T.
Baring, Sir T.
Baring, F. T.
Barnett, C. J.
Bayntun, S. A.
Bentinck, Lord G.
Biddulph, R. M.
Blake, Sir F.
Blamire, W.
Blount, E.
Blunt, Sir C.
Bouverie, Hon. D. P.
Brougham, J.
Brougham, W.
Bulkeley, Sir R. W.
Buller, J. W.
Bulwer, E. E. L.
Burton, H.
Byng, Sir J.
Byng, G.
Calcraft, G.
Calley, T.
Calvert, N.
Carter, J. B.
Cavendish, Lord
Cavendish, Hon. Col.
Chaytor, W. R.
Chichester, J. P. B
Cockerell, Sir C.
Colborne, N. W. R.
Crampton, P. C.
Creevey, T.
Cunliffe, O.
Davies, Col. T. H.
Denison, W. J.
Denman, Sir T.
Duncombe, T.
Dundas, Sir R. L.
Dundas, Hon. J. C.
Dundas, Hon. T.
Easthope, J.
Ebrington, Viscount
Ellice, Edward
Ellis, W.
Evans, W.
Evans, W. B.
Ewart, William
Fazakerly, J. N.
Fellowes, H. A. W.
Ferguson, Gen. Sir R.
Foley, Hon. T. H.
Folkes, Sir W.
Fordwich, Lord
Fox, Lieut. Colonel
Gisborne, T.
Graham, Rt. hon. Sir J.
Grant, Right Hon. R.
Greene, T. G.
Grosvenor, Lord R.
Handley, W. F.
Hawkins, J. H.
Heathcote, G. J.
Heneage, G. F.
Heron, Sir R.
Heywood, B.
Hodges, T. L.
Hodgson, J.
Horne, Sir W.
Hoskins, K.
Howard, Hon. W.
Howard, P. H.
Howick, Viscount
Hudson, T.
Hume, J.
Hunt, H.
James, W.
Jerningham, hon. H. V.
Johnstone, Sir J.
Jones, J.
Kemp, T. R.
King, E. B.
Knight, H. G.
Knight, R.
Labouchere, H.
Langston, J. H.
Lawley, F.
Lee, J. L. H.
Lefevre, C. S.
Leigh, T. C.
Lemon, Sir C.
Lennard, T. B.
Lennox, Lord W.
Lennox, Lord George
Lester, B. L.
Littleton, E. J.
Lumley, J. S.
Lushington, Dr. S.
Maberly, Col. W. L.
Macdonald, Sir J.
Mangles, James
Marjoribanks, Stewart
Marshall, W.
Mayhew, W.
Milbank, M.
Mills, J.
Milton, Viscount
Morpeth, Viscount
Morrison, J.
Noel, Sir G.
Nowell, Alex.
Nugent, Lord
Ord, W.
Owen, Sir J.
Paget, Sir Charles
Paget, Thomas
Palmer, C. F.
Palmerston, Viscount
Pelham, Hon. C. A.
Pendarves, E. W. W.
Penleaze, John S.
Penryhn, E.
Petit, Louis H.
Petre, Hon. E.
Phillipps, Sir R.
Phillips, C. M.
Philips, G. R.
Ponsonby, Hon. J.
Poyntz, W. S.
Price, Sir R.
Ramsbottom, J.
Ramsden, J. C.
Rickford, W.
Rider, T.
Ridley, Sir M. W.
Robarts, A. W.
Robinson, Sir G.
Robinson, G. R.
Rooper, J. B.
Rumbold, C. E.
Russell, Lord J.
Russell, Lieut. Col.
Russell, C.
Russell, W.
Sanford, E. A.
Schonswar, G.
Scott, Sir E. D.
Sebright, Sir J.
Skipwith, Sir G.
Smith, Hon. R.
Smith, G. R.
Smith, J. A.
Smith, R. V.
Spencer, Hon. Capt.
Stanhope, Capt. R. H.
Stanley, Rt. hon. E. G. S.
Stanley, J.
Stephenson, H. F.
Stewart, P. M.
Strickland, George
Strutt, Edward
Stuart, Lord Dudley
Stuart, Lord P.
Talbot, C. R. M.
Thicknesse, Ralph
Thomson, Rt. Hon. C. P
Thompson, Alderman
Thompson, P. B.
Throckmorton, R. G.
Tomes, J.
Torrens, Colonel R.
Townley, R. G.
Tracy, Charles H.
Troubridge, Sir E.
Tynte, C. K. K.
Tyrrell, C.
Venables, Alder. W.
Vere, J. J. H.
Vernon, Hon. G. J.
Vernon, G. H.
Villiers, T. H.
Vincent, Sir F.
Waithman, Alderman
Walrond, B.
Warburton, Henry
Warre, John Ashley
Waterpark, Lord
Watson, Hon. R.
Webb, Col. E.
Wellesley, Hn. W. T. L.
Western, C. C.
Weyland, Major R.
Whitmore, W. W.
Williams, Sir J.
Williams, J.
Williams, W. A.
Williamson, Sir H.
Wood, Charles
Wood, J.
Wood, Alderman M.
Wrightson, Wm. B.

Scotland.

Adam, Admiral C.
Dixon, Joseph
Fergusson, R. C.
Gillon, W. D.
Grant, Rt. Hon. C.
Haliburton, Hon. D. G.
Jeffrey, Rt. Hon. F.
Johnstone, J.
Loch, James
Mackenzie, S.
M'Leod, R.
Ross H.
Sinclair, G.
Stewart, Sir M. S.

Ireland.

Acheson, Viscount
Belfast, L.
Bellew, Sir P.
Blackney, W.
Bodkin, J. J.
Boyle, Hon. John
Brown, J.
Brown, D.
Burke, Sir J.
Callaghan, D.
Carew, R. S.
Chapman, M. L.
French, A.
Grattan, J.
Hill, Lord G. A.
Hort, Sir J. W.
Howard, R.
Jephson, C. D. O.
Killeen, Lord
King, Hon. R.
Lamb, Hon. G.
Lambert, H.
Lambert, J. S.
Leader, N. P.
Macnamara, W.
Mullins, F.
Musgrave, Sir R.
O'Connell, M.
O'Conor, Don
O'Farrell, R. M.
Ponsonby Hon. G.
Power, R.
Rice, Hon. T. S.
Ruthven, E. S.
Sheil, R. L.
Walker, C. A.
Wallace, T.
White, S.
White, Colonel H.

Teller.

Duncannon Viscount

ASSESSED TAXES.] In answer to a question from Mr. Goulburn,

Lord *Althorp* stated, that it was his intention to bring in a Bill to continue the Assessed Taxes Composition Act, and another to consolidate the laws relating to Assessed Taxes.

* * *

HOUSE OF LORDS,

Monday, February 27, 1832.

MINUTES.] Petitions presented. By Lord STRANGFORD, from Woodstock for an Inquiry into the State of the Glove Trade:—By a NOBLE LORD, from the Inhabitants of Kingston with the same prayer:—By Lord PLUNKETT, from the President and Fellows of the College of Physicians (Ireland), praying that their Rights may be preserved in any Bill passed to facilitate the Study of Anatomy:—By Lord HOLLAND, from Ampthill, in favour of the Factories Bill.

THE POOR LAWS.] The Marquis of *Salisbury* requested the noble and learned Lord on the Woolsack would have the kindness to inform him, what steps had been taken by his Majesty's Government towards the formation of the Commission which the noble and learned Lord had given notice of for the investigation of the state of the Poor-laws? It was nearly two years since his Majesty's Ministers had promised to take up the subject, and it was full time that something effectual should be done.

The *Lord Chancellor* said, that the noble Marquis was in error in imagining that so long a time as two years had elapsed since the attention of his colleagues had been called to this question. It was in the beginning of last Session, including the summer Session, and certainly not more than a year ago, that the subject had been introduced. He assured the noble Marquis that no unnecessary delay had taken place, and he hoped, that in two or three days the plan would be matured. The central body of Commissioners was appointed, but the country Commissioners were not yet named.

The Duke of *Buckingham* inquired if the central Commissioners were to have the nomination of the country Commissioners.

The *Lord Chancellor* said, that the town body would recommend the country members of the Commission—of course they would not have the appointment without the sanction of Government to each particular name.

The Marquis of *Salisbury* begged to ask the noble and learned Lord further, whether there would be any objection to lay before Parliament a copy of the instructions which he presumed it was intended to issue to the Commissioners.

The *Lord Chancellor* said, he really, at the present moment, could not answer the question. He believed it was rather unusual to ask for the production of papers which at the time had no existence.

JAMAICA.] The Duke of *Wellington*, seeing the noble Secretary for the Colonies in his place, wished to be informed if the noble Viscount could explain how it happened that the proclamation respecting the Colonies, which had been agreed upon by his Majesty in Council in June 1831, did not reach the Governor General of Jamaica until the 22nd of December in that year, and the causes why it had not been made public?

Viscount *Goderich*, in answer to the question of the noble Duke, said, that the Order in Council had been sent to Jamaica, as well as to all the other Colonies, in the course of the last Summer. It was accompanied by a despatch, which empowered the Governors to distribute the proclamation, if they considered that the existing circumstances in each island required it; but the despatch, at the same time, intimated that there might be prudential reasons why that course might not be desirable. It was sent to Jamaica in May or June, and the Governor received it in July; and he stated, in his acknowledgement of its arrival, that there was nothing in the circumstances which then prevailed in the island to make the issuing of the proclamation advisable; but he sent to the different Magistrates extracts of the despatch which accompanied the order, by which means all the proper persons were made acquainted with the extent of the authority vested in the Governor's hands. Lord Belmore did not issue the order itself; and certainly he (Viscount Goderich) was bound to say, that, under the circumstances, he approved of the course pursued by that officer.

The Duke of *Wellington* was desirous of ascertaining if a copy of the despatch, and of the correspondence with the Governor, could be laid on the Table.

Viscount *Goderich* said, as he was at present advised, he could see no objection to produce the despatch; but with regard to the correspondence, he must look into it, to see if the whole, or extracts, could properly be placed on the Table, before he could answer the question of the noble Duke.

THE FRENCH EXPEDITION TO ITALY.] The Earl of *Aberdeen:* Although I must generally apologise to the noble Earl, for proposing questions to him with regard to the foreign policy of the country, yet I feel that I am not called upon to do so at present, as I cannot recollect any public transaction, where the national interests were concerned, which more immediately demanded an explanation than that which I am now about to bring under your Lordships' notice. Your Lordships are aware that an expedition has sailed, or is about to sail, from a port in France to the coast of Italy. The extent of that equipment, and the object for which it is destined, are variously stated; and I wish to ask the noble Earl if he is enabled to state officially the objects and intentions of the French government in fitting out this expedition; or has it been undertaken with the consent or the sanction of his Majesty's Government?

Earl *Grey:* I do not believe, my Lords, it is usual for the Minister of the Crown to be called on for explanations on subjects similar to that to which the noble Earl now directs his inquiry; and I believe it has not been the custom of those who have preceded me in the situation which I have the honour to hold, to give the explanation which the noble Earl calls for. All that I can say, my Lords, is, that a communication has been made to his Majesty's Government of the intention of the French government to direct an expedition to the coast of Italy.

The Earl of *Aberdeen:* My Lords, I must say, that the answer of the noble Earl infinitely surprises me, for, as you will perceive, it is altogether incompatible with the praises which that noble Earl has so often lavished on the frankness, openness, and liberal faith of the present government of France. Not to have given at once the fullest explanation of the extent of the expedition, and the objects which it was destined to accomplish, is scarcely worthy of the confiding disposition which the noble Earl has so often alleged the French government to manifest towards this country. The character of the expedition is so extraordinary, that I am not astonished to find that it has excited suspicion in every quarter; and I am at a loss to know why the noble Earl has been treated with so much reserve, and why the little information which he seems to have received has been communicated in a manner so little worthy of that warm attachment and close union of which the noble Earl so often boasts, as prevailing at present between this country and France, and which he has so lately solemnized in the presence of that great personage, the Lord Mayor of London. My Lords, after this I cannot but congratulate the House on the termination of the ridiculous farce of non-intervention. It is quite clear that the farce of non-intervention has gone by, and that we shall hear no more of it. It is not a year ago since the noble Earl gave a definition of non-intervention, and certainly the most despotic government in Europe could not object to that explanation of the term. But what, my Lords, did it amount to? Why, that intervention was not permitted unless in cases where the security or great interests of a state were immediately affected by what was going on in a neighbouring country. This certainly was the understanding of the phrase universally adopted; but, my Lords, you are aware that the difficulty lies not in the principle, but in its application; and I trust that the result of the present proceedings will be, to induce the noble Earl never to allow the French government to constitute itself the judge of that which the interests or the honour of England require; and I further trust, that the principles will be clearly maintained and understood by every power in Europe, so that each state shall have the right to interfere in the affairs of its neighbours, when it is necessary to do so for its own safety, or the preservation of its great interests. The intervention of the noble Earl depends as Seldon said, of the equity of the Court of Chancery on the length of the foot of the noble Earl. I ask the noble Earl to look at the present case, and to say if it is in accordance with his practice, not with his definition of non-intervention? A revolt takes place in some of the Papal states — the Austrian government, afraid of damage being done to some of its own possessions, and invited by the Papal authority, sends a force into those states for the purpose of restoring tranquillity. That may be right, or it may be wrong; but Austria constitutes itself sole judge in its own case, and it is only to that government that we can apply for an explanation, if we desire to know the principle on which it is acting. But what does the French Ministry do? Oh, it says to the Papal government, "Austria has gone to protect you; so will we, too." But what I wish to know is, has the Papal government called on France, as it has on Austria, for assistance? and why is it that the French troops are directed to a point where no disturbances have prevailed, and where tranquillity has existed up to the present moment?—where, I say, tranquillity has prevailed up to the present moment, but where, I fear, it will not exist, after the arrival of the French troops, or I am much deceived in my anticipations. My Lords, what can that French force do in the quarter to which it has been directed? Nothing, but to foment revolt, and excite insubordination; or what other consequences can attend the appearance of the tri-coloured flag in Italy, contrary to the known wishes of its government? My Lords, I know that the tri-coloured flag has been devoted in France to purposes of triumph and of glory, but I know that, out of France, it is every where viewed with suspicion, and that it has been looked upon as the standard of revolution and disorder. I ask you, my Lords, to consider for a moment what are the consequences which may arise from this forced intervention of France? If a French force goes to the coast of Italy contrary to the wishes of the Papal government, it will be necessary for the neighbouring states to look about them, and the king of Sardinia, in particular, must take measures to secure his territory from the effects of such an interference. Indeed, my Lord, such an interference as the present is almost without parallel in the history of modern Europe, and it is worthy of the best days of the republic, when France sent an expedition to Egypt, under the pretence of aiding the Sultan, and to deliver him from the Beys. It is, you must allow, my Lords, an instance of the most barefaced intervention; and whatever be our opinions about it, it appears to me to be a subject well worthy of the watchfulness of his Majesty's Government; and it is one upon which we had a right to expect more explicit information, as few circumstances, in the present day, are more calculated to excite suspicion and distrust in every part of Europe.

Earl *Grey:* My Lords, I must say the course pursued by the noble Earl is not a little extraordinary. He puts a question to me on a point on which it is not customary to demand an explanation, and I give him the best answer that I feel authorised to give, in the discharge of my public duty; but the noble Earl is not satisfied with that, and rises again to create a discussion on an assumption of facts, which, perhaps, he will find hereafter is unfounded, if he has reserved for himself the means of obtaining better information than that which he seems to be now possessed of. But, my Lords, I will not, by anything the noble Earl has said, be tempted to go into a discussion whether the interference of France is justifiable or not, or whether it will lead to the conclusions which the noble Earl, has imagined, though, perhaps, the result may show that these conclusions will altogether fail, like many others to which the noble Earl stands pledged. All I can say, my Lords, in answer to the question, I have already said; and however much the noble Earl may taunt me about the close union which subsists between this country and France, and the declaration which I have made of reliance on the faith and fair dealing of the French government, I have only to avow that I still retain the same opinions, and I believe the cultivation of a good understanding with the government of that country is at the present period more than ever desirable. Yes, my Lords, more than ever desirable for the preservation of the general peace, which, I trust, all the exertions of the noble Earl will not be successful enough to disturb. Whatever inconsistency the noble Earl may think he sees in the interference of France, I will frankly state, as I have done before, that the conduct of the French government on the occasion gives me no reason to alter the opinion I have already expressed of my belief in its honour and good faith. My Lords, the noble Earl has called me to task for some supposed discrepancy between my practice and the definition of non-intervention which I have heretofore given; but, my Lords, the principle of intervention, as I have stated it, rests upon grounds which I have over and over again explained. I stated it as a general rule, but I never said that there should be no exceptions. My Lords, what I laid down was this: whenever the circumstances of another state, or the occurrences which take place in a neighbouring country, are such as threaten the safety or the interests of a state, the right of intervention is given even on the principle of self-preservation. That is the only ground which can be taken by any man who pretends to any thing like the character of a statesman. The noble Lord charges me with unfairly withholding the communication which may have taken place between his Majesty's Government and the French ministry. I do not think it consistent with my duty and responsibility to say more than that the intention of the French government to send an armed force to the coast of Italy has been communicated to us. That does not satisfy the noble Lord: but I ask him, what would he himself do in similar circumstances? Would he give me, were our situations changed, any other answer than that which I give him? Surely it is not long since a much larger expedition—more important in all its parts, and likely to be much more so in its consequences than this—sailed from a port in the south of France for the coast of Africa, with the consent of his Majesty's Government. I do not recollect that any person asked the noble Earl, under what circumstances the consent of his Majesty's Government was then given; nor do I recollect that the noble Lord came forward with any explanation on the subject. No such communication was demanded; but I am sure, if it had been, the noble Earl would have said that he acted on his own responsibility, and, at the proper time for explanation, it would not be withheld. Here then, my Lords, as far as I am concerned, I will put an end to this conversation, confident that though the noble Earl has endeavoured to pervert the case by an assumption of facts for which he has no warrant, and with which he cannot possibly be acquainted, he will not succeed in creating an impression in the country to the prejudice of the present Administration.

The Marquis of *Londonderry*, although he could scarcely expect from the noble Earl explanations so complete and satisfactory as those he had thought proper to give with respect to the foreign policy of the country to the Lord Mayor and the Lady Mayoress, at a recent public feast in the city, would yet, with all humility, venture to ask the noble Earl a question or two. He must, at the same time, take leave to say, that all our ancient allies and foreign governments in general, had reason to complain of the strong leaning of the present Administration to France and French interests. This was a new order of things which he much deplored. The question he was about to put, arose in a great measure out of papers which had been laid on the Table, with reference to the ratification of the treaty relating to Holland and Belgium. He very much wished to understand whether the noble Earl expected that the ratification of the treaty respecting Belgium would travel faster, when it was known to the other powers of Europe that the policy of Great Britain was unfolded to the new *conseil politique* of the noble Earl at the east end of the town, while the noble Earl refused explanations in that House? Did the noble Earl think that the king of Holland, when he saw the course the noble Earl was pursuing, would be the more ready to accede to the arrangements which the British Government had made on his behalf? He thought a fearful crisis had arrived, notwithstanding the noble Earl, in the enjoyment of civic hospitality, and in the indulgence of his predilection for Lord Mayor's feasts, might conceal it from himself. If the noble Earl maintained and vaunted upon all occasions his partiality to France, and his disregard of the magnanimous allies who had carried us through the fearful but glorious contest in which we had been engaged, he believed the peace of Europe would be disturbed, sooner than the noble Earl had given the Lord Mayor and Lady Mayoress to understand. He wished to ask the noble Earl if he had received any intelligence which led him to believe that the ratifications of the treaty relating to Belgium, were likely to be soon exchanged, and also whether any arrangement had been concluded with respect to the Belgic fortresses?

Earl *Grey* would not now allude to what he had said elsewhere. His sentiments with respect to France had been stated in that House; but he must repel the imputation that his anxiety to cultivate mutual feelings of confidence and good-will between England and France was attended by any neglect of the former allies, the magnanimous allies, as the noble Marquis said, and he did not dispute the propriety of the epithet, of this country. He was disposed to maintain a good understanding, and he would state, what, perhaps, might be a disappointment to the noble Marquis, that a good understanding did prevail between this country and the other powers of Europe. With respect to the ratification of the treaty for the settlement of the Netherlands, he could state nothing positive; he would only say, that his Majesty's Government had a right to expect, and that his own confident belief was, that the ratifications would be given. As to further explanations, when the time arrived in which they could with propriety be demanded, he should be prepared to give them.

The conversation dropped.

TITHES (IRELAND).] The Duke of *Buckingham* said, he did not wish to raise a premature discussion or require an explanation relative to the intended measure of Government on the subject of Tithes in Ireland, though an explanation given by two members of the Administration, contained statements in which no slight discrepancy prevailed; but he wished to remind the noble Earl that Ireland was in the most disastrous condition, that the question of Tithes was agitating that country from one end to the other, and, therefore, whatever plan Government had to produce to allay this excitement ought to be immediately matured. He wished to ask, therefore, when the proposed measure was likely to come before the House?

Earl *Grey:* My Lords, all I can say, in answer to the question of the noble Duke, is, that the measure on which his Majesty's Ministers have decided, is in a forward state; but as the noble Duke knows that it must originate in the other House, some little time must elapse before it can be laid on your Lordships' Table. My Lords, I am aware of the unhappy circumstances which at present affect a part of Ireland, and I am most anxious to apply a remedy, but I must say, the difficulties under which that country labours have not been produced by us—they have existed under previous Administrations, and our predecessors were unable to provide a remedy for them. Indeed, my Lords, it is too much to expect from his Majesty's present Ministers, considering the short time we have been in office, that questions which have so long agitated that country should be brought to an immediate and satisfactory conclusion. I feel, with the noble Duke, the necessity of providing for the tranquillity of Ireland, and our object is, to settle one question, at least, in such a manner as will conduce to the safety of the country and the maintenance of all its institutions. The Report of the Committee to which the question of tithes has been referred, will be presented without delay, and the Ministers hope soon to follow it with such a measure as will place the great interests of the country on a proper and settled basis.

The Marquis of *Lansdown* said, that the evidence taken before the Committee had not been communicated to the other House, and, therefore, it was impossible that the measure to be founded upon such evidence, could be introduced yet for a few days.

The Duke of *Wellington* said: My Lords, I have not had an opportunity, or, perhaps, I should rather say, I have avoided the opportunity of saying one word on tithes since they have been first discussed before your Lordships. I had an objection to doing so until the noble Earl should have brought forward his promised measure, which was to originate on the Report of the Committee, appointed, as the noble Earl stated, upon the recommendation of his Majesty. But when the noble Earl declared, in reply to the question put to him by the noble Duke, that difficulties have for a long period existed, and that no measure had been adopted to remove them by any preceding Cabinet, and I having belonged to several preceding Cabinets, and having been in that very Cabinet to which the noble Earl succeeded, I feel that I cannot sit by and listen to what the noble Earl has stated, without giving a direct contradiction to it. My Lords, until the period when the noble Earl took on himself the conduct of public affairs, we had never heard of tithes from the moment that the Tithe Composition Act was put in force. This Act, my Lords, was brought in by a right hon. colleague and friend of mine; and I say that it did put an end to almost all disturbance upon the subject of tithes in Ireland. Two-thirds of the livings in that country were brought under the Tithe Composition Act. Well, then, my Lords, what is the cause of the present state of the tithe question? We have already considered—first, his Majesty's reference to the subject in his Speech from the Throne; and next, that this House is not to be called upon to adopt a measure upon the responsibility of Ministers, but that they have sheltered themselves under Committees; and now, we find, that we are to entertain the question with a view to the formation of a new system, under the pretence that Ireland was left in a disturbed state by previous administrations. My Lords, the main cause of the present excitement, is the encouragement which has been given to agitators to disturb the country. I can tell the noble Earl, that, so long as encouragement is given to agitators, you may double and treble the regular army in Ireland—you may heap measures of severity upon measures of severity—but you will not succeed in putting down agitation upon this question, or upon any of the others which may follow it. My Lords, we talk of a question of property. A noble Lord, the other night, in discussing the question of tithes, observed, the people of Ireland are ready to pay that for which they receive value, to pay their rent, and to pay all the taxes on the land, and that they wished not to deprive any man of his property.* I say, then, my Lords, is any property held so sacred by our law as tithes? In the first place, the King is sworn—his Majesty was sworn, a few months ago—to protect the property and rights of the clergy above all classes of men. I desire, also, to bring to your Lordships' recollection, that, in two recent Acts of Parliament, in which we conferred notable advantages on the Dissenters from the Church of England, we endeavoured, as far as we might by oaths, to secure the property of the Church. If any principle, indeed, can secure property to any portion of his Majesty's subjects, the property of the Church ought to be safe. It is a principle of the Constitution that tithes, above all other property, should be secured to the owner. In declaring my opinion thus strongly, I am well aware that difficulties do now surround this question in Ireland, and I was ready, and I am ready, to support any fair proposition of the noble Earl to prevent disturbance, and not only to support it myself, but to use every influence I may be supposed to possess to prevent opposition to it. But I cannot bear that we should be accused of having done nothing in this matter, when the fact is, that we did every thing in our power to pacify the country, and put an end to that disturbance which we are indirectly accused, by the noble Earl, of promoting.

Earl *Grey:* I should, certainly, my Lords, at all times, be much gratified by the support which the noble Duke may be pleased to give to any measure of his Majesty's Government which I might propose; but I anxiously hope it will be given in a temper different from that in which the noble Duke has now addressed your Lordships. I do not think, my Lords, that any thing that fell from me was calculated to provoke the warmth which the noble Duke has exhibited. The noble Duke accused me of having charged his Administration with promoting the disturbed state of Ireland; but while the noble Duke was speaking, I endeavoured to call to mind the exact words I had used, and I think that what I uttered was to this purpose: that the difficulties which we, on coming into office, found, had long existed, and had continued to increase under preceding governments, and that no government, including that of the noble Duke, had been able to find a satisfactory remedy for them. I did not say, my Lords, that no attempts had been made at removing these difficulties, but I did say, and I now repeat, that no means had been found to overcome, by legislative measures, those causes which had so long distracted Ireland, and even threatened the safety of that country. In saying this, I did not mean to charge the Administration of which the noble Duke was the head, with neglecting all attempts to pacify that country. I did not allude to the Tithes Composition Act particularly, which was passed in 1823, and promised for a time to be successful; but I ask the noble Lords well acquainted with the state of Ireland, if that Act has not long since ceased to work beneficially, and if the omission, by the House of Commons, of the compulsory clause has not produced discontent in many places, and been the main feature of the opposition which has since become so alarming? That the opposition to the collection of tithes has been more systematic and violent since the period of 1830, when we came into office, I am willing to admit, but I say, it originated in causes with which we have nothing to do. The noble and learned Lord opposite (the Earl of Eldon) may shake his head, and try to throw the blame on the present administration, but with every respect to that noble and venerable Lord, I must repeat, that the opposition to the collection of tithes arose from causes over which we had no control, and with which, as I said before, we had nothing to do. The question of tithes in Ireland has ever distracted that country, and was a source of baleful dissension in it long before either the noble Duke or I was born. It has been a stumbling-block to every Administration, and successive Statesmen have in turn directed their attention to it. Various Acts of Parliament have been passed to regulate the tithes of agistment, and to maintain the collection of them generally, until the Composition Act was introduced by the Administration of the noble Duke; but how signal has been the failure of them all!—We have done every thing in our power to protect the rights of the Church. We have interfered with force when we were called upon to act, and where it was possible to use it, but there were many cases which defied the application of force, and, therefore, we now seek, by a change of system, to support that property, on the maintenance of which the noble Duke has so warmly declaimed, and which I have, with equal sincerity, always supported. The preservation of the settled institutions of the country has been the constant principle of my conduct, and I hope, my Lords, you will do me the justice to believe, that it will continue so to be. The noble Duke has said, that I may double and triple the army in Ireland, and load the country with measures of severity—as if I had any such intentions in view—but that I might do so in vain, as long as encouragement was given to agitation. This, my Lords, is a serious charge. It is a charge against the Government of the country, nothing less than that of encouraging those agitators whose views are directed against the public peace, and the safety of the State. My Lords, after such a charge, I have a right to call on the noble Duke for an explanation—or for a specific accusation. In what way, my Lords, has the Government given encouragement to agitation? I contradict that charge as flatly as the noble Duke has contradicted what I asserted. I contradict, my Lords, as flatly as words can, the truth of the statement; and I deny that any encouragement has been given to agitation. My Lords, I would have put it down by lenient measures, if possible, but by force, if it was necessary; and it is my opinion that the application of force will not be the less powerful if conciliation be first tried. My Lords, I will not shrink from the performance of my duty; and, when so serious a charge as that of the encouragement of agitation in Ireland be brought forward against his Majesty's Government, I think we have a right to call on the noble Duke to state the grounds on which he makes it.

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* Hansard's Parl. Debates, vol. x. p. 674.

The Duke of *Wellington:* My Lords, I never have made, and I never will make, a charge which I am not ready to repeat, and able to substantiate, and I will forthwith prove that which the noble Earl calls upon me to explain. In doing this, I beg leave to remind your Lordships, that, some months ago, I suggested to the noble Earl that an Act of Parliament, which had been passed for the purpose of suppressing illegal associations in Ireland, was about to expire, and I asked him, if he intended to propose the renewal of that Act. The noble Earl replied, that he did; but, my Lords, you will recollect that Parliament was dissolved without any further notice of the Act, and, of course, it expired. The result of this was, that the noble Earl stated in the House, when it met again, that the noble Marquis at the head of the Irish Administration felt that he could carry on the Government of that country without any additional powers; and the consequences of the noble Earl having declined to apply to the Legislature for any authority beyond the existing laws were, that agitation began again, and that meeting after meeting has again been held from that time to the present moment. This is not all, my Lords; the great agitator, the prime mover of the whole machinery, escaped the execution of the sentence of the law in consequence of the expiration of the Act of Parliament to which I have referred. Well, my Lords, what has since taken place? This very person, the great agitator, whom the Government had prosecuted to conviction, was considered to be a person worthy of the honours which the Crown could bestow, and he received the highest favour which any gentleman of the Bar ever received from the hands of the noble Earl and his Government; he received a patent of precedence, which placed him next the Attorney General, and above a gentleman who was once Attorney General, but was still a member of the same Bar. If this was not a premium given to that gentleman to continue his course of disturbing the country, I do not know what else could be so considered. I feel that no more effectual mode could be found to encourage agitation than to reward the promoter of it. But it is not alone in this respect that his Majesty's Government has encouraged agitation. What was the meaning, I ask, of the friends of Government taking the course they have taken out of doors with reference to the Reform Bill? What was the meaning of the letter of a noble Lord in another House—addressed to the Political Union of Birmingham, in which that noble Lord designated the sentiments of noble Peers on this side of the House as the "whisper of a faction?" What was the meaning of two friends of Government collecting a mob in Hyde-park and the Regent's-park, on one of the days in which the House of Lords was discussing the Reform Bill? What was the meaning of these individuals directing the line of march of the assembled multitude upon St. James's, and publishing their orders in the papers devoted to Government?—and what was the meaning of the publications in the Government newspapers libelling and maligning all those who opposed the Bill? What was the meaning of all these deeds being allowed by Government, and why did they tolerate and abet them, unless they calculated upon some advantages to themselves in encouraging such agitation? I don't accuse the noble Earl of instigating these mobs—I do not mean to say, that he was delighted at seeing my house assailed, or any other work of destruction committed; but I say some of his colleagues, and some of the friends of Government, have encouraged and incited the people to works of violence. I must say, I have long felt on this subject very strongly. I feel that the country is in a most dangerous state. I find the country is in a most dangerous state on account of Government not taking the proper measures to put a stop to confusion and agitation; and, on the contrary, in place of putting a stop to such scenes, allowing some Lords of his Majesty's household to encourage and instigate the people to lawless acts.

The Earl of *Eldon* said, that on the first topic that had been introduced that evening, relating to the foreign affairs of the country, he would give no opinion until the various negotiations and the public transactions respecting them had been concluded, except by saying, that it appeared to him, from all he could yet understand, that those who had been the most strenuous opponents of interference had now become its warmest defenders and advocates. On the present situation of this country and Ireland, however, he begged to be allowed to make a few observations. He would ask the noble Lords from Ireland, who were now present, whether the powers of the common law (which he had been told were as great in Ireland as in England) had ever been put fully into execution in that country, in order to prevent it from falling into its present miserable state; and whether they did not conscientiously believe, that to the non-execution of that law the present state of Ireland was attributable? Let their Lordships look at what had been passing in Ireland. He begged to know how it was, that such shameful proceedings as had taken place there had been allowed to go on without any prosecutions having been instituted on the subject? He would not presume to say that they were so; but if the speeches in the Irish papers were really the speeches of the persons to whom a noble Duke had alluded, and of Mr. O'Connell, he had no hesitation in declaring, that the government of Ireland ought to be brought to the Bar of that House, for not having applied the powers of the common law to punish those gross and shameful violations of the law. Things were in such a situation that the question was neither more nor less than whether or not the government of Ireland was to be allowed to exist? It was, in truth, he feared, much the same in this country, for he verily believed they were approaching a crisis when the existence of the Government here would be endangered. It was idle to believe, that if the Reform Bill, as it had been offered to their Lordships last Session, had passed, their Lordships would have been long left sitting in that House. There was no man who had been more deeply obliged to the father of the late King—there was no man who had entertained a more devoted attachment to the late King—there was no man who entertained a firmer sense of allegiance to his present Majesty than himself; and he felt it his duty now distinctly to state, in the presence of a brother of his present Majesty, that if that Reform Bill had passed, the consequence of the agitation which it would have produced, by opening the questions of Universal Suffrage, and other dangerous but popular doctrines would have been, that, in the course of ten years, there would not be a single member of the house of Hanover on the Throne. It would have crushed both the Monarchy and that House. He would now say a few words on the subject of tithes in Ireland. As to the advantage of the proposed commutation he would reserve himself until he saw the Bill upon the subject before their Lordships. But let it be considered how the subject had been introduced to their notice. It had been introduced by tirades of all kinds against the clergy of Ireland. Those attacks had been accompanied by similar attacks on the lay impropriators. A petition had been presented a few nights since on this subject, which had excited some debate, and, on referring to it afterwards, he was surprised to find that it did not relate to the clergy at all, but to lay impropriators, who, it said, desecrated the property which had been devoted to pious and charitable uses. He hoped the Duke of Bedford, and other noble Peers of that House would look a little closely into the effect of this argument of desecration. He was an old man, and he remembered forty years ago, in the years 1790, 1791, and 1792, when the people were convulsed in a manner similar to that in which they were convulsed at present, reading speeches containing the same sentiments, and uttered by some of the same individuals who, at that period, endeavoured to promote revolution. He begged, therefore, to ask the noble and learned Lord (the Lord Chancellor for Ireland) how it was, that, with all this agitation and tumult in that country, there had not been a single prosecution for inflammatory speeches? He had had a good deal of experience in such matters, and he could not see any valid reasons why such orators had not been prosecuted. He might be told of the difficulty of bringing home the inflammatory language to the speakers; but where would be the difficulty of prosecuting the publishers of such libels? And he would also ask whether, though the Proclamation Act had expired, the powers of the common law would not be sufficient to put an end to such sedition? There were now, too, associations against tithes existing in Ireland, which were conducted upon principles that subjected the parties to indictments for conspiracies. No man, he said, who was a lawyer would so degrade himself as to say, that those combinations to prevent the purchase of tithes in Ireland were not highly illegal? Yet all these classes of offenders were left undisturbed by prosecution, and they were allowed to continue their evil practices with impunity. He did not mean to accuse the noble Earl opposite, nor the noble and learned Lord Chancellor of Ireland, with having given any support to such proceedings; on the contrary, he was persuaded they were ashamed of their existence, yet the persons who promoted them were allowed to go on in their career of tumult without fear, as the prompt and vigorous interference of Government had not been exerted to control them. These tumults were, he suspected, winked at, or made as light of as possible, by those who had their own purposes to promote, which at present were held forth as the Repeal of the Union, and to insure the success of the Reform Bill, which was in progress; upon the latter subject he would say nothing until it was brought regularly before their Lordships, but he would repeat, that if it was passed, and contained the same provisions as the Bill of last Session, their Lordships would not long sit there; and what was nearest his heart, if things continued to go on long as they were going on at present, he was unhappily convinced, that the family which he had hoped would long have remained on the Throne, would cease to reign. That was his conscientious opinion. He was so satisfied of this fact, that let the consequences be what they might, and let the observation subject him to whatever misconstruction it might, he would fearlessly say, that any of the Acts of James the 2nd, were as excusable, as would be the Act of that monarch who should give his sanction to such measure. It would prove the most destructive to the Constitution of England of any measure that had ever been resorted to by any government. This might be his last declaration in that House —it was a most conscientious one. There was another point on which he was desirous of making an observation or two. He alluded to the letter which had been written by a Spiritual Peer, in which that right rev. Prelate, speaking of those of their Lordships who had opposed the measure of his Majesty's Government, had denominated them "an ignorant faction;" and in which that right rev. Prelate had expressed his hope that the King would do that which he (Lord Eldon) sincerely believed, if the King really did, he would destroy the Constitution of the country. He really could hardly believe, that that letter was actually written by the right rev. Prelate. Whether the right rev. Prelate wrote it or not, however, he thought he owed it to their Lordships, to the Constitution, and to the country, to declare, that the statement, that the opposition to the late Reform Bill was factious, was an inexcusable libel. For himself, he had been fifty years in Parliament, and he was not conscious of ever having been influenced by a factious or a personally interested motive. He had never solicited any advancement in his profession but that which resulted from his own industry; and he was sure that the great body of the people, who enjoyed so many blessings under the Constitution, would never attach the term "factious" to those whose most strenuous efforts had been directed to preserve that Constitution inviolate.

The Bishop of *Chichester* said, that but for the observations of the noble and learned Lord, he should not have thought it necessary to make any observation or give any explanation relative to the letter in question, and he would first of all say, that though differing from the noble Lord in other points, he must concur with him in expressing his strong disapprobation of the conduct of some of those persons to whom he had alluded, who promoted and encouraged tumult and agitation. With regard to the expression which the noble and learned Lord complained of, he would only say, that he did not apply the terms "factious and ignorant" to any individuals; he applied them only in a general sense, and what he meant to state was, that if the House of Lords did again reject the measure at present in progress, with the same precipitation as that with which they rejected the last, the Constitution provided a remedy for such a factious opposition. He did not presume to compete with the noble and learned Lord in a knowledge of the law and of the Constitution; but he certainly conceived, that when the Opposition in that House arrived at such a pitch, that it was inconvenient and impracticable to pass measures necessary for the State, there was a remedy in the hands of the Crown, in the same way as the King had a remedy against factious opposition in the Commons. When the measures of the other House were calculated to disturb the Government, the King had the power of putting an end to such measures by dissolving Parliament, and the King, in like manner, was armed with power to defeat an opposition in that House, when that opposition was at total variance with the best interests of the country. He would, however, beg the noble and learned Lord to read the letter again, and he would find that the words were meant to apply only to factious opposition, and that it was meant that such a measure should be resorted to only in case of such an opposition, and, in order to prevent the recurrence of such violent and tumultuous proceedings, as had disgraced the country. He must, at the same time, say, that he wrote the letter in a hurry, and not for publication; that he was earnestly requested to allow it to be published, and he did not like to refuse to publish what were his real sentiments. Had he taken more time to write it, he should, probably, have guarded against that misconception which, he was sorry to observe, that the noble and learned Lord had formed.

Viscount *Melbourne* said, that he felt that it was necessary for him to notice the charges which had been made against his noble friend (Earl Grey) and himself by the noble Duke and the noble and learned Earl; and he rose for the purpose of repelling them. It was not his intention to follow the noble and learned Earl into the subject of Reform; nor should he go into the subject of tithes; nor was it necessary for him to do so, inasmuch as the noble Duke himself had said, it was his intention to support the measures of the Government; and, therefore, he need not rescue them from any imputation of hostility to the rights of property. He would not go into the general subject of debate, but would confine himself to the observation of the noble Duke with respect to the department over which he (Lord Melbourne) had the honour to preside, and which, therefore, he felt it to be impossible to pass over. The first charge was that of the Government allowing the Proclamation Act to expire. As to the advantage of that Bill, he would refer the noble Duke to the noble and learned Earl (the Earl of Eldon) who had said, at the time it passed, that it would produce no effect—that it would be good for nothing—and that it would only be productive of ridicule in those against whom it was directed. But the noble Duke had said, that this evil of not reviving this Act was the fruit of the dissolution of Parliament—undoubtedly it was, and if the main fact of the dissolution was wrong, so must be its accessory; but that the fact of the dissolution was not considered wrong by the noble Duke and his supporters he must take for granted, inasmuch as there had been no vote of censure proposed by any one of them; and he too well knew the manliness of the noble Duke's character not to be certain that he would have brought such a motion before the House, if he had thought the proposition tenable; and as to the renewal of the Proclamation Act, he would appeal to any one acquainted with Ireland, whether such a proceeding would at all have met the evils of that country. The resistance to tithes arose from pre-existing circumstances, and such a state of things, as that the least spark speedily was blown into a flame. But could that Act do any thing to prevent this? Certainly not; and he would defy the noble Duke, even admitting that the Bill was better and more efficacious than the noble and learned Earl would allow it to be, to prove, that it could have had the least effect in preventing the agitation on the subject of tithes in Ireland. The next point of accusation against the Government was, the honour and favour bestowed by them upon Mr. O'Connell. He had always held it to be a great and capital error to have passed that gentleman over in the legal promotions. From his knowledge and station in the profession, that Gentleman was entitled to the rank he had obtained, and if any judge in Ireland were asked the question, he would declare him to be so entitled. Whatever might be that Gentleman's political conduct, and little as he was inclined to praise, and incapable as he was of giving his approbation to Mr. O'Connell's political conduct, still no such conduct ought to exclude him from the fair honours of his profession. These honours were given to professional knowledge and merit, not to political sentiments; and unless there was something in his conduct as a Barrister to render him unfit for a patent of precedence, or the rank of King's Counsel, no political conduct should be allowed to deprive Mr. O'Connell of the rank due to his professional eminence. The noble Duke had then brought another charge, founded upon a letter written by a noble colleague of his (Lord Melbourne), the words of which, as he did not recollect, and had not before him, he was of course not prepared to defend. But if he understood the noble Duke aright, the letter designated the conduct of the writer's political opponents as the whisper of a faction. Now, he would ask, whether there were not both in and out of that House noble Lords who did not always restrain themselves within the bounds of Parliamentary language, and whether it was by any means extraordinary to hear political men designate their opponents as factious? He would, in short, ask whether, although it was not used in the House, this was not the common language of party, and certainly the noble Duke could not consider this a strong and stable ground for an accusation. Then the noble Duke had said, that the meeting in the Regent's-park had been collected by two friends of the Government. But that a party was to be held responsible for the conduct of all its supporters was rather too much to ask, although he must, at the same time, declare, that he knew of no impropriety which could be charged to that meeting. The noble Duke said, that the line of march of the columns upon St. James's was published in the Government newspapers. Did the noble Duke mean *The Gazette*? In that there was nothing of the kind inserted, and he knew of no other Government newspaper. The Ministers could not always be responsible for what their friends might say or do, and though there might be some who maintained their cause, still they could not be accountable when they had no control over them. But what a situation would the Government be placed in, if they were held responsible, not merely for all the arguments in newspapers, but especially for every advertisement that might appear in them. He thought that, on the whole, he had now touched on all the various topics, and satisfactorily answered the different statements, which had been made by the noble Duke in support of the charge which he had preferred against his Majesty's Government; and he would, in conclusion, only say, that that charge had been made a little too eagerly—somewhat harshly, and without consideration; and that he was sure the noble Duke himself would, on reflection, be ready to acknowledge, that the grounds on which it rested were utterly untenable and unfounded.

The Duke of *Wellington*, in explanation, said, that when he spoke of the Government taking a part in the proceedings at the meeting that had occurred in the Regent's-park, he alluded to persons who were in the confidence of the Government, and who had relatives in office under the Government. He did not think that such persons should be allowed to preach up such a kind of agitation through the country. [" *Name, Name*"] He would not state the names of the individuals to whom he alluded, but their names were known to his Majesty's Government. With regard to the Proclamation Act, he had merely to say, that he recollected very well hearing the noble Earl at the head of the Government state in that House, shortly before the expiration of the Act in question, that it was his intention to bring in a Bill to continue it for a longer period. The noble Earl had not done so. The Gentleman who had been convicted under that Act had been convicted of a serious legal offence, and though it certainly had been said on a former occasion by his noble and learned friend, that you might drive a coach and six through that Act, it was plain that it was effectual for the purpose in this instance, as Mr. O'Connell had been convicted under it, and made liable to punishment. But it had been urged by the noble Viscount who had just spoken, that professional honours should not be withheld from a gentleman, who was otherwise entitled to them, on account of his political offences. He begged to set the noble Lord right on that point. The offences of which Mr. O'Connell was convicted were not political or professional, but legal offences. They had been pronounced such by the law of the country, and it was to an individual who had been convicted of such offences that his Majesty's Government thought it right to give a patent of precedence.

Earl *Grey* said, that it was with no small reluctance he was about to protract, even for a very short time, this very irregular discussion, which, having arisen in the first instance upon a single isolated question, had afterwards branched into a variety of matters, with which that question had nothing to do. He could not avoid expressing the great satisfaction which he had experienced in hearing the noble Duke opposite state the grounds on which he rested the heavy charge which he had brought forward against his Majesty's Government; for grounds more untenable, or proofs less decisive, he had never known adduced in support of a charge of such a grave and weighty description. The noble Duke first accused his Majesty's Government of affording active means of encouragement to the agitation which existed in the country, but he afterwards explained his charge against the Government to be not so much for the encouragement which they afforded to that agitation, as for their negligence in not putting it down. With respect to that portion of the noble Duke's attack on his Majesty's Government, and the topics which he had adduced in support of it, he (Earl Grey) might safely rest upon the answer which had been given to the charge by his noble friend at the head of the Home Department. But he was actuated by personal feelings, and considerations, more than by the persuasion that it was necessary to add any thing further in reply to that attack, to address a few words to their Lordships on this occasion. With respect to what the noble Duke said as to the expiration of the Proclamation Act, he remembered perfectly well the answer which he gave to a question from the noble Duke about that period. He perfectly well recollected that his answer then was, that it was his intention to bring in a Bill to renew the provisions of that Act, and to extend them for a longer term. That intention was, at the time, prevented from being carried into execution, as their Lordships all knew, by the sudden and unexpected dissolution of the Parliament, which event also caused the expiration of the Act in question. His Majesty's Government then submitted the point as to whether the persons who had been convicted under that Act could now, that it had expired, be brought up for judgment, to the consideration of the legal advisers of the Crown. He was sure that their Lordships would see, that no other course than this, under such circumstances, was open to Government. The Ministers had accordingly obtained the best legal opinions on the subject, and all the law authorities concurred in stating, that the persons who had been convicted under that Act of Parliament could not, in consequence of its expiration, be brought up for judgment. Why he did not bring in a Bill to revive that Act of Parliament, he would now shortly explain. In the first place, the sort of agitation which existed in Ireland was in no degree lessened by that Act while it was in force, and it would have been necessary to alter and extend the provisions of that Act considerably, in order to render it effectual for that purpose. In the next place, he had hopes that the existing law of the land (and those hopes were confirmed by the opinion of the government of Ireland) would be sufficient for the purpose in question. When the noble and learned Lord opposite said, that the powers of the common-law had not been resorted to, he begged to bring to that noble and learned Lord's recollection the fact, that when a part of the country was violently disturbed, and when, in fact, a rustic insurrection prevailed there—he alluded to the county of Clare—Special Commissions were sent down—prosecutions were instituted—several of the unfortunate persons who had been engaged in those disturbances suffered the penalty of death, and many others were transported to a distant land. It was then proved that the powers of the existing law of the land were sufficient for all purposes, and that they afforded effectual means for meeting such emergencies, for the disturbances which prevailed at the time in that part of Ireland were, in the way he had stated, put down and extinguished. Under these circumstances, his Majesty's Government had not proposed to revive the Act against unlawful associations. That that fact should be adduced as a strong proof of their having afforded encouragement to the agitation which prevailed in Ireland was, to say the least of it, not a little extraordinary; and when noble Lords opposite talked of such an Act as that as a remedy for the evils which afflicted that unhappy country, he must say, that he entertained a very different opinion as to the cause of those evils, and as to the mode by which they could be removed. He should now proceed to another circumstance, which had been adduced by the noble Duke as a matter of charge against his Majesty's Government, namely, the giving a silk gown to Mr. O'Connell. That proceeding had been so fully explained, and so well defended by his noble friend, the Secretary for the Home Department, that it was quite unnecessary for him to go into any detailed vindication of it. But the noble Duke said, that Mr. O'Connell had been convicted of a legal offence, and, on that account he should be debarred from the customary honours of his profession. Assuming that the conviction was good, there were many instances to prove that similar convictions, for legal offences, did not stand in the way of the professional preferment of the persons so convicted, and he would refer to the cases of Sir Richard Steele and Dean Swift in illustration of that fact. A noble friend behind him reminded him that Mr. O'Connell was not convicted of a legal offence; but, at all events, he did that which incurred the sentence of the law, and for which a legal conviction was had. He would maintain, however, that offences of this nature should not exclude a man from all the advantages and honours of the profession to which he belonged. But he had no hesitation in avowing, distinctly and fairly, that the agitation in Ireland after a time having considerably subsided, and with the hope that Mr. O'Connell might be thereby induced to alter his conduct, and to refrain from those mischievous courses which he was pursuing—in the hope, he repeated, that so great a good might be effected, he (Earl Grey) advised (and for that advice he was ready and willing to take all the responsibility which attached to it) that Mr. O'Connell should no longer be excluded from those honours to which his professional rank, standing character, and talents, so justly entitled him. He had no hesitation in saying, that, in the hopes which influenced him in advising that proceeding, and in entertaining which he was not singular at the time, he had been since grievously disappointed. The noble Duke and noble Lords opposite might take whatever advantage they pleased of that admission, but he certainly did not regret the advice which he had then given. So far from such a proceeding having been any encouragement to the agitation existing in Ireland, it was calculated to have a very different effect. But this he would say, that that agitation had been encouraged, and, in a great measure, continued, by the conduct pursued by the opponents of the Government in that country. Though the notion—the unfounded notion—had been industriously circulated by those persons throughout the country, that his Majesty's Government were not indisposed to put down tithes, and though those persons, for the purpose of injuring the Government, and careless of the effect which such statements might have on the peace and tranquillity of the country, had propagated the most mischievous calumnies against the Ministers on that subject, yet he would fearlessly assert, that the Government had applied the military force throughout that country to an extent and degree that it had never before been applied, for the purpose of enforcing the legal demands of the clergy, wherever they were resisted. Was it on such things as these that the noble Duke founded the very serious charge which he had brought against his Majesty's Government, was it on letters written, returning thanks for an address—imprudently expressed letters certainly—and on speeches made at meetings, by those who called themselves the friends of the Government, or who were attached to the Government—was it on the meetings of those who called themselves the friends of the Government that the noble Duke founded his serious charges? He did not know what the noble Duke, when at the head of the Government, was able, by his energy and decision, to accomplish, but he was ready to acknowledge, that he did not find himself able, either in the Government or in the Opposition, to control the imprudent zeal of his friends, for which he had frequently suffered. Circumstances of the kind had often afflicted him at the time of their occurrence, but surely the matters to which the noble Duke had referred were not such as justified in any respect the serious charge which he had brought against his Majesty's Government? Indeed, in reference to the point to which he was now alluding, he was ashamed of dwelling upon it, as his noble friend had so satisfactorily answered the noble Duke with regard to it. But, said the noble Duke, the lines of march agreed upon at the meeting in the Regent's-park appeared in the Government papers. Now, he begged to ask the noble Duke, what were the Government papers? He could assure the noble Duke that he possessed no control over the newspapers. The noble Duke might have been more fortunate in that respect than he was; and he thought, that if the noble Duke would only read the articles which continually appeared in those papers which the noble Duke called the Government papers—papers that were conducted with much ability—that contained much valuable information—but which were not always conducted in the most friendly spirit, either towards the Government or towards himself personally—the noble Duke would see reason to think that those papers should not be called "Government papers, if, by such a term, the noble Duke meant to convey the impression that he or the Government possessed any power or influence over them whatever. Such was the amount of the noble Duke's charge against his Majesty's Government, and such was his answer to it; and he was satisfied that it must appear to their Lordships, that, so far from his Majesty's Government having given any encouragement to agitation, they had done all in their power to suppress it. Before he sat down, he had a few words to say in reference to what had fallen from the noble Earl opposite. That noble and learned Lord laid at the door of the Government disturbances which he should be very sorry for one moment to vindicate, and accused the Ministers of having allowed all these things to advance with a rapid progress, without endeavouring to put them down. Now, he begged leave to observe that all the evils of which the noble and learned Lord complained were in existence, and were advancing rapidly to their present state before his Majesty's present Ministers came into office. The Political Union of Birmingham had commenced in the January previous to their accession to office, and had already acquired great strength, and excited considerable alarm, before the noble Duke opposite gave up the reins of Government. Yet no measure was proposed by the late Government for the purpose of putting that union down. The Trades' Unions, too, especially in the manufacturing districts, had, before that period excited much alarm, yet no measures for their suppression were brought forward by the noble Duke's Government; and when he (Earl Grey) and his colleagues came into office, the only measure they found that had been taken by their predecessors with regard to those societies, consisted in a communication from the late Secretary for the Home Department, calling the attention of Government to them. At the period when he was called to the head of the Government, up almost to the very gates of the metropolis, a rustic insurrection prevailed; the fires blazed in all directions throughout the country, and no measures whatever had been taken to put a stop to such a calamitous state of things. When the noble and learned Lord said, that the powers of the law were not exerted by the present Government, he begged to tell him in reply, that, from the moment of their accession to office, not an hour was lost by his Majesty's Ministers in exerting the powers of the law to restore the peace of the country. Special Commissions were at once sent out into the disturbed counties, the civil force was put in active requisition, and the army was augmented, for the purpose of putting an end to the disturbances; in short, every thing that could be done was done with that view, and for that purpose; and the result was, that the peace and tranquillity of the country were effectually restored. With regard to the attack which had been made on the house of the noble Duke, he would say this—that, however he might differ from the noble Duke in political matters, he most sincerely and deeply regretted that, against him, of all men living, such an attack should have been directed. But he would appeal to the candour of the noble Duke, and of other noble Lords who were made the objects of attack on that occasion, to say, whether every precaution had not been taken by his Majesty's Government to provide, as far as was possible, against such attacks on the night in question. The military and police force of the town were put in requisition, and directed to give every protection they could to the houses of those noble Lords, and especially to the mansion of the noble Duke, on which an attack was apprehended. But the noble and learned Lord had made it a matter of charge against Government, that they did not prosecute the libels which he said had been published in the shape of speeches in the Irish papers. Now, he very well recollected having heard that noble and learned Lord himself say, that it was an easy thing for a gentleman to read a newspaper, and to say, that such and such an article was a libel; but that it was a different thing for an Attorney General to undertake the responsibility of prosecuting for it; for that, before doing so, he had to consider whether sufficient evidence could be obtained to support the charge of libel, and whether, after all, the Jury would convict. All these difficulties interposed in this instance. With regard to the speeches which the noble Lord complained of as libels, the noble Lord should be aware that speeches of that character were not confined to one side of the question. Besides, it would have been exceedingly difficult to get evidence to bring home those libels to their authors. Of course, the proprietors of the papers in which such speeches were published were responsible for them; but Government wished to avoid instituting prosecutions against them, while they were anxious to prosecute the authors of such speeches, if they could get at them; but the difficulty of getting evidence sufficient to ensure a conviction stood in the way of the adoption of such a course of proceeding. He could not sit down without expressing the gratification that he felt at being relieved from the weight of apprehension which the serious and heavy charge brought forward by the noble Duke was calculated to excite. The speech in which the noble Duke endeavoured to sustain that charge quite relieved his mind from any—the least—apprehension that any reasonable man in the community could for a moment think that that of which his own conscience perfectly acquitted him, namely, the having been guilty of any encouragement of agitation, or of any negligence in protecting the peace and security of the country, could be fairly imputed to him.

The Earl of *Roden* thought that the noble Duke had stated only what was the fact, when he said, that the Government had given active encouragement to agitation. If it were, then, asked, who was the greatest agitator in Ireland, would not every one of their Lordships answer, in plain terms, "Mr O'Connell?" If that were so, was it not, also, a notorious fact, that the Government had raised Mr. O'Connell to the highest position to which they could promote him in the exercise of the profession to which he belonged? On these grounds, then, he maintained, that Mr. O'Connell, being an agitator, had received encouragement from the Government. The noble Earl at the head of the Government had stated, in plain terms, that the object of Ministers, in thus elevating Mr. O'Connell, was to prevent him from continuing longer a course of proceeding which was objectionable to them. In point of fact, that was to say, that the Government had given to Mr. O'Connell a bribe to induce him to relinquish a course which he believed it was his duty to pursue. He was not a defender of Mr. O'Connell; he had ever been opposed to that gentleman. He knew him not personally, but only in his popular, and, as he considered, mischievous character; but he must say, that he preferred the hostility of Mr. O'Connell, which was open, fair, and undisguised, to the cold and hollow pledges of those who professed to be the friends of the Protestants of Ireland. When he stated this, he could not but bear in mind the conduct of Mr. O'Connell to himself, in days that were gone by, which he had considered to be unmanly and unfair. That, however, being a matter only personal to himself he could forgive; but he could not forget that Mr. O'Connell was, to this day, the greatest enemy of the Protestant interests in Ireland. He had always struggled for the Protestant interests of Ireland, and while he lived he would ever support them. As much time had been consumed in the present discussion, he should postpone presenting the petition of which he had given notice, and which he had intended to have submitted to their Lordships' attention that evening, until to-morrow. He would, in conclusion, repeat, that he considered that the conduct of his Majesty's Government had promoted that agitation of which the Protestants of Ireland had so much reason to complain.

Lord *Plunkett* said, that, as he was connected with the Irish Government, and as an attack had been made on that Government, he thought the House would excuse him for wishing to say a few words on this subject, and in defence of the conduct of the Government of which he formed a part. He wished that the noble Earl who had just sat down had presented the petition to which he had alluded, for the points it contained were involved in this irregular discussion, the only object of which was, to hold out to the people of this country, that the Government was opposed to the maintenance of the Established Church in Ireland, and was the enemy of the Protestant interest in that country. Whether the propagation of such doctrines, unfounded as they were, was calculated to heal the divisions—to promote the tranquillity of that unfortunate country, or effect any good object, legal or political, he would leave those noble Lords, who promulgated them, to determine. He was certain, however, that whatever was done with respect to tithes, there was no such effectual encouragement given to agitators, the value of whose promises the people well appreciated, as such opinions as those he had just alluded to, put forth by persons of character and property. Those opinions came with great gravity and weight, and were calculated, on that account, to be most mischievous. With respect to what had been said of Mr. O'Connell, he would remind their Lordships that that gentleman could not be considered as having been legally convicted of any offence; he had not been found guilty by the verdict of a Jury. The state of his position with regard to the law was this: he had been indicted under a certain Act of Parliament —he had suffered judgment by default, and the Act on which he had been indicted expired shortly afterwards. Now, if the noble and learned Lord opposite would produce any authorities to show that, under such circumstances, a conviction could legally be carried into execution, he should be ready to meet the noble and learned Earl on that question. He was himself ready to maintain the negative, both on principle and on authority. If he was right in that opinion—that the judgment suffered by default, under such circumstances, left Mr. O'Connell at liberty to move in arrest of that judgment, surely they would not say that punishment, which could not be visited on him in point of law, should be visited on him in his professional character. He was responsible for having affixed the Great Seal to the patent of precedence to Mr. O'Connell. He did not stand up there as his advocate, nor for the agitators of either side, from both of whom he had received nothing but obloquy, which he valued for this reason, that, next to the approbation of good men, he most esteemed the obloquy of bad men. He, therefore, rested his defence on the same grounds as those who sat beside him. But he might also observe, that that proceeding was totally unconnected with any question of politics, and the patent of precedence was given to Mr. O'Connell only on account of his professional eminence. The ordinary way of granting a patent of precedence in Ireland was, to enable the man to whom it was granted to rank next after the King's Attorney and Solicitor General. That, however, had not been done for Mr. O'Connell. He had only been named to take rank above those gentlemen much his juniors, whom he had seen promoted over his head. Whatever he might think of Mr. O'Connell in a political point of view, it was impossible to deny that, in his profession, no individual exhibited higher attainments, nor was any man more worthy of the distinction he had received. That being the case, the Government was bound to accord him the distinction. It was the object of a rational Government not to be vindictive, but just, and the gift of the patent of precedence was required by justice. He should have been happy if, by that mark of kindness, not incompatible with their duty, Mr. O'Connell had been induced to betake himself to his profession, in which he was entitled to expect the highest honours, but he could not regret what had been done. The noble Earl opposite had expressed his disgust at the conduct of agitators. They were to be condemned, undoubtedly; but if he was asked, who was the greatest agitator, he should say, that it was the person who collected together large mobs of ignorant persons—who addressed them in a manner calculated to raise their jealousies, and revive their prejudices—who addressed English people, and called on them to form Protestant associations—telling them that he loved the Catholics as men, but that they were a set of people who wished to put down the Protestants and their religion. Such a person was the true agitator. Such a person, who thus collected these ignorant assemblages together, and scattered among them ambiguous—no, not ambiguous, but unfounded assertions; such a person risked the making of Irish agitation not only formidable but desperate! To accomplish that fearful object in Ireland, all that was wanted was—not a war against the State —not a war against the tithes—but a war between the Protestants and Catholics. The noble and learned Earl opposite had again indulged in prophecies. The noble and learned Earl had followed this course for forty years, according to his own showing. He sincerely hoped that the noble and learned Lord might live for forty years more to prophesy; and he sincerely hoped, too, that the noble and learned Earl's prophecies might be, at the end of that time, as visionary as they had been up to this moment. But, passing from that, he begged to make a few observations on the statement which the noble and learned lord had made, that the law was not vindicated in Ireland, the noble and learned Lord had said, that the law was the same in both countries. He believed that it was in the abstract—that, as far as the letter of the law went, the guilt of entering into a conspiracy to refuse payment of tithes was in both countries the same; but it was a very different thing for the Chancellor to furnish the Attorney General with the abstract principle of the law, and to tell him that such was the law, and for the Attorney General to carry on a prosecution under it. In these prosecutions there were such things as witnesses, and jurors, and the public, all of whom were to be considered; but he would venture to say, that, in every instance in which an outrage had been committed, a prosecution had been instituted, had been successful, and the authority of the law had been vindicated by the punishment of the offender. Although he was not the public prosecutor, he was not insensible to the duties of the office. He had communicated with the law-officers of the Crown in Ireland, and with the distinguished and very learned person who filled the office of Attorney-General; and he would venture to assert, that, in no instance in which a prosecution could be successfully instituted had that prosecution been neglected. If the noble and learned Earl opposite would ask for the papers connected with this subject, he would undertake to show, from those papers, that what he had stated was really the case. He assured the noble and learned Lord, that if he would communicate with him upon any case in which he thought a prosecution advisable, he would undertake either that a prosecution should be instituted, or that he should satisfy the noble Lord's mind that it could not be effectually done, and that he would point out to the noble Lord the difficulty which would prevent such a prosecution. This he would readily do if the noble Lord would do him the honour of making to him such a communication.

The Earl of *Eldon* asserted, that if the information against Mr. O'Connell had been filed by an English Attorney General, it would have contained counts that would have rendered it impossible for him to escape as he had done. But, putting that out of the question at the present moment, as the evil could not now be remedied, he would assert, that whatever had been said with regard to the difficulty of prosecuting agitators for their speeches, did not at all apply to publishers, who could have been easily prosecuted; and if such prosecutions had been commenced, and the common law enforced two or three years before, these associations would never have attained their present magnitude. Unless the common law was enforced, the same evils would come to exist in England as well as in Ireland, and the institutions of the country would be endangered, if not destroyed.

The Earl of *Roden* said, that if the noble and learned Lord alluded to him, or to any Protestant meeting in Ireland, at which he had thought it his duty to attend, when he spoke of persons assembled for the purpose of agitation, he must beg leave to deny, that he had ever made himself a party to anything in the shape of agitation. On the occasion to which he supposed the noble and learned Lord alluded, a meeting was assembled, for what he conceived to be the constitutional purpose of addressing his Majesty, and of petitioning the Houses of Parliament for the removal of those grievances of which the Protestants of Ireland thought they had a right to complain. He had seen it asserted in a public print, as coming from the mouth of a noble Lord, that such meetings were lawless and senseless.

Lord *Plunkett:* If the noble Lord alludes to me, I beg to state, that I never used those expressions.

The Earl of *Roden:* I saw them in a public print, but if the noble Lord denies—

Lord *Plunkett:* I assure the noble Earl that I did not use that language. On the occasion to which I suppose the noble Earl is alluding, I said, that I regretted the course which had been adopted by persons of high station in the country, for the purpose of protecting the Protestant interests. And I certainly did say, that there was a great difference between the meetings of the factious agitators on the one hand, and the good Protestants on the other, because the first had some grievances to complain of, while the meetings of the latter seemed to be without sense or meaning.

The Earl of *Roden* said, he had no wish to put language in the mouth of the noble and learned Lord, which he disclaimed, but still he must be permitted to say, that the meetings of the Irish Protestants were plain and intelligible enough to those who would understand them, but there were none so deaf as those who would not hear. At all events, it would shortly be his duty to present to his Majesty, an address signed by upwards of 230,000 Protestants, composing the greater part of all the wealth and respectability of Ireland, and he was afraid, from the noble and learned Lord's previous prepossessions, that the language of such petitions would be to him quite unintelligible.

The Earl of *Gosford* said, that he knew many Protestant gentlemen of Ireland—sensible men, and men of wealth and rank, and of the highest respectability—who had not attended at these meetings, and who dreaded the violence and extravagance of language there made use of. He protested, therefore, against the assertion of the noble Earl, that the petition, emanating from these meetings, represented the sentiments of all the wealth, knowledge, property, and respectability of the country. He declared that that was not the case, as would be shown, perhaps, on some future occasion; and, if one-tenth part of what was said at these meetings was correctly given to the public, he thought it was the duty of every Christian to pause before he joined them. Some of the speakers at these meetings were not content with condemning measures, and insinuating motives, but actually assigned a purpose which the proposers of these measures had in view, and declared, that that purpose was the destruction of the Protestant interest, and the raising of Popery on its ruins. If people of talent, of wealth, of rank, and of influence in the country, would talk in that way, there could be no surprise that strong feelings were excited. He knew that many of those who had been present at these meetings had expressed their regret at the warmth of the expressions there used. He felt as warmly as any man in existence for the welfare of the Protestants in Ireland, but he could not see that their welfare was promoted by these violent expressions employed by some among their Members.

The Earl of *Wicklow* had read an account in a newspaper of a great Protestant meeting, which took place in a county in which the noble Lord, who had just sat down, was an active Magistrate. He confessed he should have been better pleased if he had found that the forcible eloquence of which the noble Lord had just favoured them with a specimen had been exerted upon that occasion. When the noble Lord was last in the neighbourhood of his own residence, it was in his power to have attended one of those meetings, and to have exerted his eloquence in refuting the argument of those whom he seemed to despise. If he had combatted them openly in the field, was it not possible, nay, was it not probable, that the persons attending such meeting would have been convinced, by his argument and reasoning? Why did not the noble Earl attend? The noble Earl's reason, if he might be allowed to suggest one for him, was this—that he knew that his opinions, if he ventured to assert them, would have been scouted by the whole assembly. The explanation of the noble and learned Lord opposite conveyed this meaning, that if the Protestant meetings were not dangerous, they were either senseless or impotent. Now, that one filling the situation of the noble and learned Lord, who was doubtless possessed of great talent, judgment, and experience, should think it consistent with the duties which he owed to his country, to become a political partisan, to sacrifice the duties of his office, in order to be here to support the Government to which he was attached, was, to him, matter of astonishment and regret. The noble and learned Lord said, that it had been his lot to be censured by all parties. What did that prove? To him it clearly proved the absurdity, and, he would say, the erroneousness of the opinion—an opinion which had only lately arisen—that the Lord Chancellor ought to be a political character. To show how groundless that opinion was, he need only mention the fact, that, throughout the whole of the disturbances that existed in Ireland during the time that the late Lord Chancellor held the Seals, that excellent individual's political opinions were, he believed, totally unknown to any part of the community. In the course of the discussion, he had heard from two of the noble Lords opposite, assertions which were loudly cheered by their friends. Those assertions, however, although made upon the same point, did not appear to him, in any respect, to coincide with each other. The noble Lord, the Secretary of State for the Home Department, said, that Mr. O'Connell was promoted solely on account of his great legal ability, and without any consideration of his political character. But what said the noble Earl at the head of the Government? Why, that he thought he should be perfectly right, knowing the great political influence of Mr. O'Connell, to endeavour, by an act of courtesy, to attach him to the Government. He should like to know how the two noble Lords could reconcile those different assertions. They were both cheered at the time that they were delivered, but no two reasons more different could be advanced in support of the foolish, absurd, and malicious act which they were meant to justify. The noble Earl alluded but slightly to the opposition to the payment of tithes which, only since his Government began, had assumed its giant form. He had been assured by a Magistrate, that a gentleman, a member for a county, was in the habit of calling upon large bodies of the people, in different parts of his county, and of exciting them to resist the payment of tithes. The Magistrate from whom he had received this information, hearing that such an assemblage of persons was to take place, sent a confidential person to the meeting, for the purpose of ascertaining, through him, its character and proceedings. That person, on his return, stated, that he heard the gentleman alluded to, urge the people on no account to continue the payment of tithes; and, moreover, that if they were opposed by the military or police, they were to attack them, not with arms, but sticks. This the Magistrate communicated to the Government, but the only answer he received was, that if he felt it necessary, he might commence a prosecution himself. Another case that he had heard was, that a half-pay officer had headed a party in their resistance against the payment of tithes. If these were facts, and he had reason to believe them so, then the Government, by conniving at them, were more culpable than was insinuated. If the noble Viscount took the trouble of inquiring, and found the facts not to be correct, then he would with pleasure give the noble Viscount his authority, but he did not think it fair towards the public, in the present agitated state of the country, to mention any man's name [*cheers*]. He did not understand the meaning of those cheers. He was perfectly aware that the noble Lords opposite had but little regard for the lives of individuals intrusted to their charge. He begged pardon, he might possibly have expressed himself rather more strongly than he ought, but this he did say, that if the protection that ought to be afforded was given, there would be no danger whatever. Reference had been made to what took place on a former occasion, when Ministers were blamed for not having come forward with a declaration in the early part of the Session in support of the Established Church; it was said, that the present Government was composed of individuals who were considered by the people in general not as friends to the Established Church. He had alluded to a motion which had been made in the year 1824, in the House of Commons. The noble and learned Lord on the Woolsack, had called upon him to repeat what the motion was. He had looked back to the history of that period, and found, that the individual to whom he had alluded had not only in the year 1824, but in the previous year, made a similar motion. He found that, on that occasion, previous to his bringing forward his motion, inquiry was made as to the nature of the motion, and the answer was, that "he should first contend, that the Church property in Ireland was altogether too large for the purpose for which it was intended. Next, that there should be no over-paid absentees of 1,000*l.*, 2,000*l.*, or 3,000*l.* a-year, and starved curates of 50*l.*, 60*l.*, or 70*l.* a-year." * The noble and learned Lord (Lord Plunkett) designated the motion, when it was brought forward, as "full of desperation and folly." † The following year, the motion was again brought forward. It was to this effect:—"That it is expedient to require that the present Church Establishment of Ireland be not more than commensurate with the duties performed, both as regards the number of persons employed and the incomes received." He found, in the minority upon that occasion, the following names:—Brougham, Denman, Denison, Ellice, Hobhouse, Lamb, Rice, and Lord John Russell.

Viscount *Melbourne:* It is not my name.

The Earl of *Wicklow:* Where were these individuals now? Were they still playing their gambols upon the Opposition benches — still constantly pursuing the same course—and as constantly opposed by a strong, vigorous, and constitutional Government—and, therefore, the ridicule or scorn of the friends of the Established Church? No; they were now in office, and the colleagues of the noble Earl; and it was on this account that he stated, that it was the duty of the noble Earl, finding with whom he was associated, to say, that his Government was determined to maintain the Established Church of the country. But as the noble Lord upon the Woolsack called upon him to produce the motion he had just read, he would carry his courtesy further, and tell him, if he wanted to see what was spoken on the occasion, to read the speech of his own colleague (Mr. Stanley),* and also the able speech of the noble Lord, the Chancellor for Ireland. The noble Lord, the Chancellor for Ireland, said—"I will not sail in the same vessel with that hon. Gentleman and his friends." † But as he was now fairly embarked on board of her, notwithstanding his declaration, he ought to take the helm, and guide the vessel clear of those dangerous shoals and rocks which he formerly looked upon with so much dread. But after all, he must say, that he was afraid the vessel had lost her rudder, and was drifting at the mercy of the tempest.

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* Hansard's Parl. Debates, vol. viii. p. 91.
† Ibid. p. 467.

The Earl of *Gosford* said, he disapproved of the meetings which had been alluded to, because they were calculated to excite the public mind, and cause violent collision between parties, the enmity of which had been the bane and curse of Ireland.

Earl *Grey* said, he must take upon himself to deny that he had endeavoured to induce an individual, who had been referred to in the debate, to join the Government. His sole object was, to endeavour to attach him to his profession, which, it was hoped, would induce him to renounce those measures by which he continued to inflame the mind of the people of Ireland. He lamented the failure of their hopes, both on the account of that Gentleman himself, and on account of the public peace. The noble Earl (the Earl of Wicklow) had made it a matter of complaint, that his Majesty's Government had not openly and at first declared the line of policy they meant to adopt towards Ireland. Now, the Speech from the Throne was always considered in Parliament as the speech of the Ministers; and, in the speech at the opening of the Session, was the following declaration:—"In parts of Ireland a systematic opposition has been made to the payment of tithes, attended, in some instances with afflicting results; and it will be one of your first duties to inquire whether it may not be possible to effect improvement in the laws respecting this subject, which may afford the necessary protection to the Established Church, and at the same time, remove the present causes of complaint." ‡ These were the declarations made by the Government on the very first occasion they could take, and those declarations had been constantly repeated from that time to the present.

The *Lord Chancellor* apprehended, that if he began by stating that he should not occupy their Lordships' attention long, they would have a right, from their observation of the debate of to-night, to draw this conclusion, that he intended to speak at considerable length. He could, however, assure them, that he should only say a few words on what the noble Earl had now, for the second time, brought before the House. He had, he could truly say, with no personal disrespect to the noble Earl, dismissed the matter, once before mentioned, from his thoughts. He had entirely forgotten the terms of the motion, when the noble Earl, on a former occasion, described it as tearing up by the roots, or pulling down (he forgot which) the Established Church of Ireland; but he was sure that the motion was nothing of the sort then described. He had told their Lordships so at the time; and he might appeal to them — nay, he might almost appeal to the noble Earl—whether his assertion had not now been fully borne out. With the Gentlemen with whom he had then been associated he had acted cordially. They might have been opposed to a vigorous Government — the noble Earl was pleased to say they were—but that they were the ridicule and scorn of that Government, he, from a constant and uniform knowledge of the campaigns in which—for the rights of the people of England—for the rights of the people of Ireland—for the advantage of the Established Constitution itself—they had been engaged, he begged most solemnly to deny. That they were ever ridiculed and scorned by any ministry to which they were ever opposed, he most humbly, but most confidently, in presence of all around him, denied. He had, however, lived to see an Opposition in another place, of which he should say nothing but this—that, with the advantage of talents and of high names, they were pursuing a course of conduct most dangerous to the peace, prosperity, and stability of the Government, and of the settled institutions of the country. How they carried on political warfare all might see, and he must say, that, in all his observations of parliamentary contests, he had never beheld more rancour—more political rancour, than he had seen displayed towards the present Government by the present Opposition.

The Earl of *Wicklow* said, in what he at any time uttered, he never meant to use any offensive or unpleasant language. In the course of what he said, he did not mean the slightest disrespect towards any individual, much less against the whole collective Government. He certainly had used the words ridicule and scorn, but not in the sense which the noble and learned Lord had attributed to them. What he meant was, that the people, finding the opposition from which such motions proceeded, so puny, yet so malevolent, treated their efforts with ridicule and scorn, because they saw that their interests were protected by a strong, united, and vigorous Government.

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* Hansard's Parl. Debates, vol. xi. p. 559.

† Ibid. 570.

‡ Ibid. Third Series, vol. ix. p. 31.

The *Lord Chancellor* said, he had no wish to take advantage of expressions when inadvertently and hastily used. The expressions, in this instance, if the noble Earl had not explained them, he must have designated as most culpable.

Viscount *Lorton* observed, that, from what Ministers said, persons might suppose that Ireland was in a state of tranquillity, when the very opposite was the fact. Much of the mischief which had arisen in that unfortunate part of the empire was occasioned by the system of conciliation and concession which Ministers had adopted; and until it was wholly altered, they could not expect peace in Ireland.

The Earl of *Gosford* disclaimed having used any expressions casting reflections upon the Protestants of Ireland.

The Earl of *Caledon* said, he felt it due to his noble friend, who had been taunted with not attending the meeting in the county of Armagh, to state, that he (Lord Caledon) was in the neighbourhood at the time of the meeting, and that if his noble friend had attended it with a view to its suppression, his doing so would have been followed by a collision productive of bloodshed.

The Marquis of *Lansdown* deprecated the discussion of this subject, until the question came regularly before the House. His Lordship moved, that a copy of the evidence given by Dr. Doyle before the Commons' Committee on Irish tithes, should be laid before their Lordships.

Ordered.

HOUSE OF COMMONS,

Monday, February 27, 1832.

Minutes.] New Member sworn. Sir Stephen Richard Glynne, for the Borough of Flint.

Returns ordered. On the Motion of Mr. Dawson, of the Total Amount of the Public Revenue paid into the Treasury from 5th January, to 25th February, 1832, under the different Heads, with an Account of the same for the same period in 1831:—On the Motion of Mr. Hodges, an Abstract of the Returns made to the Order of the 8th of July, 1831; of the Money Levied and Expended for Poor Rates in the year ending the 25th of March, 1831, in every Parish maintaining its Poor in England and Wales:—On the Motion of Mr. Alderman Hughes, of the Number of Persons confined in the King's Bench for Debt on the 1st of February, with the Accommodation for Lodging them: —On the Motion of Lord Killeen, a Return of Ten Towns of Ireland having the largest Population which do not send Members taken from the last Census.

Petitions presented. By Lord Ingestrie, from the Coalmeters and Corporation of Smiths of Dublin, against the Dublin Coal Trade Bill:—By Mr. Hodges, from the Inhabitants of the Isle of Sheppy, praying for a Member under the Reform Bill:—By Mr. Crampton, from the Catholic Freemen of Galway, for modifying the Stamp Duty on the admission of Freemen:—By Lord Valletort, from Liskeard, in favour of the Cotton Factories Regulation Bill:—By Mr. Spring Rice, from certain Persons at Rathkeal, praying for some measure to promote Emigration:—By Mr. Godson, from the Kidderminster Political Union, in favour of the Reform Bill.

Alien Act.] Mr. *O'Connell* rose to move for some Returns connected with the operation of the Alien Act. A Polish Count, named Joseph Napoleon Czapski, had been committed by the Magistrates of Police in Dublin for the non-payment of a fine of 50*l.* inflicted upon him for an alleged infringement of the Alien Act. It was one of the provisions of that Act, that the form of declaration for foreigners in Ireland should be made out by the Chief Secretary for Ireland, and no authority was given to his deputy to perform that duty. But it so happened, that when M. Czapski went to the Alien-office there was no Chief Secretary in Ireland; indeed, there had been none there for almost a year and a half. The Polish gentleman informed Mr. Kemp, whom he saw at the Alien-office, that he intended to remain in Ireland only a few days, and he was told by Mr. Kemp that he had acted properly, and need not give himself any further trouble about the business. In consequence, however, of the hospitality which he experienced, he stayed in Dublin longer than he at first anticipated, and then his Majesty's Attorney General for Ireland thought fit to prosecute him for a breach of the Alien Act, and got him fined to the amount of 50*l.* He certainly could not help feeling indignant, that the same hospitality which the unfortunate Poles had received from every country in Europe should not have been extended to them in Ireland. He concluded by moving that there be laid before the House a copy of any conviction made by the Magistrates of the head police-office in Dublin within the last five weeks.

Lord *Althorp* said, that he was not in possession of sufficient information to enable him to give any opinion on the case stated by the hon. and learned Gentleman.

Mr. *Leader* thought it but fair to say, that such was the feeling of the people of Dublin in favour of the unfortunate individual whose name had been just mentioned, that a subscription was about to be raised to defray the fine, should Government persevere in the intention of inflicting it.

Return ordered.

THE NAVY CIVIL DEPARTMENTS' BILL.] Sir James Graham moved the Second Reading of this Bill.

Mr. *Croker* begged to ask the right hon. Baronet, whether he did not propose entering into some explanation of the Bill now, or whether he intended to wait until the motion for going into Committee.

Sir *James Graham* said, that he had already discussed the principle of the Bill on its introduction, and did not see that he had any other explanation to make till the Bill should be committed.

Mr. *Croker* said, that as the right hon. Baronet declined at present entering into the merits of the Bill, but stood on the general grounds which he had taken in his former speech, he (Mr. Croker) also must abstain, on this occasion, from examining the details of this most extraordinary measure, but would confine his observations to the equally extraordinary speech delivered by the right hon. Baronet on the introduction of the measure. He did not mean, on the present occasion, to apply himself to the details of this most extraordinary measure. He entirely agreed with the right hon. Baronet, that it was within the prerogative of the Crown to revoke, for any good reason, those patents, and dissolve those Boards, for the future execution of the duties appertaining to which the present Bill was brought in; but he meant to contend that, if the right hon. Baronet had advised the Crown to dissolve those Boards, and annul those patents, for no better reasons than those which he had laid before the House, the right hon. Baronet was totally mistaken in the facts he had advanced, and in the advice which he had so given, and that the measure was as groundless as it was impolitic.

The right hon. Baronet founded his proposition for overthrowing at once a system which had stood the test of a century and a half, on three distinct and separate reasons. He began by stating certain historical facts, which, he contended, justified the course which he had adopted; he next proceeded to state certain recent transactions on the part of subordinate Boards, which, he said, rendered the remedy he proposed necessary; and finally he enlarged on the advantages which he anticipated to accrue to the country from the adoption of the new system. After the best consideration he (Mr. Croker) had been able to give the subject, not only on the occasion of the introduction of the Bill, but ever since, he was obliged to say, that he differed from the right hon. Baronet in every particular, and most positively and distinctly in respect to the facts on which he relied as the groundwork of his plan. The right hon. Baronet began his statement by referring the House to the "Memoirs of Mr. Secretary Pepys," with the view of showing that some similar arrangement had taken place at an early period of our naval history. Now, not finding in any of Mr. Pepys's works the slightest colour for such an assertion, he was sorry to be obliged to ask the right hon. Baronet to what "memoirs" he referred? [The right hon. Gentleman here paused for a reply, but none was given.] He thought that the behaviour of the right hon. Baronet was not very courteous or candid in declining to answer the question he put to him. He believed that it was the first time in the annals of Parliament, that any Member had quoted an authority, without being able and willing to state where the quotation was to be found. But, notwithstanding the prudent silence of the right hon. Baronet, he should be able, he thought, to show, that in fact no such authority existed any where. On introducing the Bill, the right hon. Baronet referred the House "to the period of the Restoration of the Stuarts, when, as it appeared in Mr. Pepys's Memoirs, the then Duke of York, afterwards James 2nd, on his appointment to the office of Lord High Admiral, dismissed the subordinate Boards, and kept the power and control in his own hands."* And again, "that when the Duke of York went abroad, the subordinate Boards were restored, to the great detriment of the public service; but on the Duke's return they were again dismissed." The right hon. Baronet had not thought proper to inform him in what "Memoirs of Mr. Pepys" these statements were to be found: this obliged him (Mr. Croker) to trouble the House with something of a critical search after the right hon. Baronet's authority. It was well known, that Mr. Pepys kept a private *Diary*, which was published a few years ago in rather a bulky form; but it might not be so well known, that there was published, in 1689, a very small book, written by Mr. Pepys, which was called *Memoirs of the Royal Navy*. Whether it was to either of those books the right hon. Baronet had referred, by the name of "Mr. Pepys's Memoirs," he could not say, but he would maintain, that, in neither of them was there any pretence or colour for the assertion of the right hon. Baronet. If the right hon. Baronet meant to refer to the small volume of *Memoirs of the Navy*, he would tell him at once, that no such occurrence was or could be described in that work, which does not mention any event antecedent to the year 1673, and, therefore, it could mention nothing relative to what had passed at the Restoration in 1660, or on the Duke of York's going abroad in 1668; and he would take upon himself to state, in the broadest terms, that there was not in that book the slightest foundation for the right hon. Baronet's assertion relative to the dismissal or re-establishment of the subordinate Boards, at those periods. But if the right hon. Baronet should turn round and say, that he founded his statement on some passage in Mr. Pepys's voluminous *Diary*, commonly called his *Memoirs*, he would be equally unfortunate; for the assertion of the right hon. Gentleman was not only, that the Duke of York abolished the Boards at the time of the Restoration, but that, the Boards having been restored upon that Prince's going abroad, they were again abolished upon his return. Now, unluckily for the right hon. Baronet, as the first events were previous to the commencement of the *Memoirs*, so the latter events happened to be subsequent to the last date of the *Diary* of Pepys, which contained no occurrence of a later date than 1668. So that here was chronological certainty, that the right hon. Baronet's reference to either of "Mr. Pepys's *Memoirs*" was entirely unfounded.

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* Hansard's Debates, vol. x. p. 350.

But—no matter where the right hon. Baronet's information was or was not to be found—was it the *fact* that the Duke of York abolished the subordinate Boards at the Restoration? No such thing. On the contrary, one of the first Acts of the Restoration was, to re-establish the Navy Board. The Restoration took place upon the 29th of May; and, on the 29th of June, 1660, being only one month after the Restoration, Mr. Pepys states, in his Diary, that he himself was sworn as Commissioner of the Navy Board, and took possession of the Navy Office: and, from that hour until the present moment, the Navy Board had never been abolished. He, therefore, gave as direct a contradiction to the fact stated by the right hon. Baronet, as he had done to the allegation of his authority for that statement. The right hon. Baronet next proceeded to say, that the effect of this abolition (which had never taken place, be it remembered) was the dawning of an era which ended in raising the British Navy to the highest pinnacle of glory. He supposed that the right hon. Baronet alluded to the engagements off Lowestoffe and in Southwold Bay; and meant to imply that those victories—which, however, he (Mr. Croker) did not rate quite so high as the right hon. Baronet seemed to do—were obtained by the vigorous administration of the Navy which had abolished the subordinate Boards —a complete and ridiculous mistake, for not only was it notorious from history and from official records, that there were Commissioners of the Navy at that time; but if the right hon. Baronet had examined the Journals of the House, he would have found that Mr. Pepys himself, whose authority is so strangely misquoted, and other members of that Board, had been called to the Bar of the House about that period, and had even been committed into custody in consequence of the Dutch having burnt the ships in the Medway. He therefore repeated, most positively, distinctly, and boldly, that, since the re-establishment of the monarchy, in 1660, down to the present hour, the Navy Board had never once been abolished; and that there never was any restoration of these Boards, in 1668 or at any other time, because there never had been any abolition of them. He had been very much puzzled to know what could have induced the right hon. Baronet to make such a statement as that which he had thus refuted; and had endeavoured to discover what could have given rise to so flagrant a mistake. He found that, when the Duke of York was obliged to go abroad, in consequence of the Test Act, the *Admiralty* was put into commission. Perhaps the right hon. Baronet might have fallen into the same error as Pepys's editor, by mistaking the *Admiralty* Board for the *Navy Board;* though that, even, would not account for the right hon. Baronet having stated that the Navy Board was abolished at the Restoration. When the Duke of York returned from abroad, he induced his brother to revoke the Commission of *Admiralty* which had been issued; but, as to the *Navy* Board and the *Victualling* Board having been abolished, nothing of the kind occurred. In fact, the Victualling Board was created about that time; at least, it appeared, according to Beatson and other authorities, that the first patent for the constitution of that Board was issued at that period, although he believed that it had been established previously. If he could not give a better explanation of the extraordinary error into which the right hon. Baronet had fallen, it was because the right hon. Baronet had not been so courteous as to tell him from what book he had quoted; and he really almost suspected that the right hon. Baronet did not himself know. Certain it was, that he had, by some extraordinary blunder, mistaken, mis-arranged, and misstated all the dates and all the facts to which he had alluded. Perhaps, also, the following circumstance had been so misunderstood by the right hon. Baronet, as to have contributed to his series of historical mistakes. After the Duke of York returned from abroad, he induced his brother to issue a new commission for the Navy Board, with some special provisions for inquiring into the affairs of the Navy for the purpose of putting them on a better footing. But was this an abolition of the Navy Board? No; he added, as Commissioners, four practical men, such as those whom the right hon. Baronet wished to get rid of. For instance, amongst the four individuals appointed on that occasion, by the influence of James was Sir Anthony Dean, who was originally a common shipwright, and as eminent a man in his profession as Sir Robert Seppings in our day. And it was, by a curious blunder, that the right hon. Baronet justified the dismissal of that practical and able shipwright Sir Robert Seppings, by the appointment of his able and practical predecessor Sir Anthony Dean in the time of Charles 2nd. But even this slight alteration in, or rather addition to the Navy Board was not meant to be permanent. It was rather in the nature of our Commissioners of Inquiry. Within two years after their appointment, the additional Commissioners were abolished by James 2nd, who wrote a letter to the Commissioners, thanking them for having completed the special duty temporarily assigned to them. The Navy Board itself, therefore, had never been abolished but had continued from that time down to the present. So much for the right hon. Baronet's reference to ancient authority, and historical facts.

The right hon. Baronet had also favoured the House with some modern reasons, which, unfortunately for him, had no more foundation than his ancient authority. The right hon. Baronet urges as an argument demonstrative of the necessity of the change which he contemplated, an alleged spirit of resistance on the part of the subordinate Boards to the authority of the Board of Admiralty. Speaking of this resistance, the right hon. Baronet said, 'Doubtless the King could revoke 'the patents of either of them, whenever 'the Crown was so advised, but it was 'unusual. These two Boards appeared to 'hold their existence by a similar tenure, 'though different from that of the Board 'of Admiralty, and they had been at all 'times held to be subordinate to that 'Board; yet, nevertheless, those subordinate Boards had at all times continued 'to divide the power and thwart the views 'of that Board presumed to be set in 'authority over them. This was inconsistent with the good management of 'public affairs. The authority of the 'subordinate Boards was uncertain; and, 'in the eye of Parliament, the entire 'responsibility for the conduct of naval 'affairs rested in the Board of Admiralty, 'because they were nominally invested 'with supreme control.'* On this point, he (Mr. Croker) felt himself intitled to offer his personal testimony in direct contradiction of these allegations. He had had the honour to fill the office of Secretary to the Admiralty for twenty-two years. During that period he conducted, of course, all the public correspondence, and much of what was considered private communication, and he declared, upon his honour and conscience, that in the course of all that time he never knew one instance of what could be considered "disobedience," nor any course of operation which could be fairly considered "a thwarting of the views." And the right hon. Baronet well knew that his (Mr. Croker's) evidence on this point was not liable to any imputation of self-interest. He was not on his trial for any part of these transactions. In the office which he had so long held, he had no responsibility but for the execution of the orders given to him—the Secretary of the Admiralty was not answerable for measures, but only for their official execution; and on whatever terms of intimacy he might have lived with his official superiors, or however often he might have been consulted by them, or however favourably they might receive any advice he ventured to give, it was they only who were answerable to the public. In bearing, therefore, his testimony on this subject, he was entitled to say, that he had no personal interests to bias his judgment. He would then repeat, that he was perfectly astonished that the right hon. Baronet should have made such a charge against the Navy and Victualling Boards. He had, indeed, heard that some evidence was given before a Finance Committee up stairs, about these Boards being slow to do this thing, and unwilling to do that thing—some vague and general charges of that nature he had heard of, but the evidence given before that Committee was a sealed book to him. It had been circulated amongst the members of the Committee, but never laid before the House, and he had endeavoured in vain to procure a copy of it. But he presumed that if this evidence had contained any tenable charge, the right hon. Baronet would have been but too happy to have embodied it in his speech, and if he should be able, as he trusted he should, to refute all the charges of the speech, he should not be very solicitous about the vague and obscure insinuations to which he had alluded. He appealed, then, to his own experience of two and twenty years, and, he would say, that in that period never did he see any indication of the spirit to which the right hon. Baronet alluded—never did he witness anything like the opposition of which so much had been said on the part of the Navy and Victualling Boards. If there were any such, he must say, that he never heard of it; and he must further declare his full persuasion, that if it had existed, it could not have escaped his notice; he, therefore, was enabled to give that part of the statement of the right hon. Baronet as complete a denial as he had given to the other portion of it. It was perfectly true that the Navy Board and the Admiralty did not always agree in their views of that branch of the public service immediately intrusted to their superintendence; but the former was always composed of practical men, having peculiar and technical experience in their respective departments, and it was no matter of surprise if they should sometimes differ from their official superiors whose acquaintance with the details were not, and could not, and need not be, so minute and technical. His hon. and gallant friend near him, (Sir George Cockburn) whose civil services had been almost as useful though not so brilliant, as his great military achievements, his gallant friend he was sure, would bear him out in the assertion, that those differences, though they sometimes created a momentary annoyance, were in the end salutary, and that the resistance on the part of the Navy Board was not pushed further than was conducive to the public service; and while he, altogether, denied the broad statements of the right hon. Baronet he believed, that no man of candour, honesty, or common sense, afloat or ashore, who knew any thing of the practical working of naval business would refuse to bear his testimony to the beneficial effects of such official checks and such occasional resistance. His hon. and gallant friend, with his long practical experience in the naval service, and with his extensive knowledge of social life, knew that, with despotic command on the one hand, and servile submission on the other, the service would be ruined—all checks would be at an end—responsibility would nowhere exist. Nay, so much did he (Mr. Croker) differ from the right hon. Baronet on the subject of "resistance," that had that species of servile submission, which the right hon. Baronet seemed to require, existed, he would have been amongst the very first to say, by all means abolish those slavish Boards—why should Boards, with such a nominal rank, and with such large salaries, be maintained merely for the purpose of blindly and servilely registering the edicts of the Board of Admiralty?

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* Hansard's Parl. Debates, vol. x. p. 350.

And who were the persons that were charged by the right hon. Baronet with this insubordination? Officers of the highest character, who had been called on to fill the chairs at the Navy Board, after long lives of professional eminence, and, generally speaking, selected for those offices, without any other connexion with the existing Administration than their fitness for the duties to be performed. Such was his late gallant friend, Sir Thomas Thompson, whose name was long associated with the naval glories of the country; and such was his gallant friend (Sir Byam Martin) of whom, in his presence, he would only say, that he was called to the chair of the Navy Board by no other influence than that of his character—he was selected by an administration, not one member of which had, he believed, at that time, any personal acquaintance with his gallant friend, although they, no doubt, in common with the country and the world were familiar with his long, his useful, and brilliant services; and he would take the liberty of adding, that the civil services of his gallant friend fulfilled and justified in the amplest manner the good opinion which his naval reputation had created. He could take upon himself boldly to repel from such men the charge of petty intrigue and systematic opposition, to the good conduct of a service of which they were the brightest ornaments.

The disobedience thus made the subject of animadversion, could only refer to the non-execution of lawful commands. If, then, this supposed resistance existed, who were the parties to blame? The Navy Board? No; the Lords of the Admiralty, certainly, and no one else; for the Lords of the Admiralty might, if they had thought proper to exercise the powers intrusted to them, have prevented or punished any such insubordination. This brought him to another statement made by the right hon. Baronet who had affirmed that the members of the Navy Board contumaciously opposed the Admiralty Board, because the former held their offices by patent, and, could not therefore, be deprived of them. This was certainly a notable cause for the fancied resistance. The right hon. Baronet told the House, that it originated in the circumstance of all the Boards, whether superior or subordinate, being created by patent, and that, consequently, the inferior Boards presumed on their equality, and refused obedience. Now this argument struck him as being absolutely ridiculous. A Lieutenant in the army was a commissioned officer; so was the Duke of Wellington; but he believed that no Lieutenant had ever been found to disregard the commands of his superior officer on the ground of his holding, as it were, under the same tenure. At least, in the course of his experience, he had never heard of insubordination from that cause, and he knew no class of men among whom subordination was more strict than those who held their various ranks by similar commissions from the same sovereign. By a strange fatality, every fact which the right hon. Baronet advanced failed him, and every height which he climbed only made his fall more deep and heavy. As a signal instance of this, he begged to call the attention of the House to the words of the patent itself. He happened to have, at hand, a copy of that by which the Victualling Board were appointed; but the Navy Board patents were, *mutatis mutandis*, in the same words; they were, "And we do likewise require and command you, our said Commissioners, and every of you, that you do, from time to time, observe, perform, fulfil, and keep all and singular, the orders, rules, instructions, and directions, which you have received, or shall from time to time receive, from us, or from our High Admiral of our United Kingdom of Great Britain, and Ireland, or from the Commissioners for executing the office of our High Admiral of our said United Kingdom, or any two or more of them now and for the time being, for touching or concerning the Victualling, and Sick and Wounded Department aforesaid, or any other matter or thing relating thereunto, or to the duties imposed on you respectively." So that the right hon. Baronet asserts, that Gentlemen were encouraged to disobedience by holding a patent which enforced obedience in the most direct and positive terms; and, in point of fact, is the right hon. Baronet so entirely ignorant of even the recent history of the department over which he presides, as not to know that there have been frequent instances, and some of a late date, of Commissioners dismissed from these Boards, because the Admiralty had seen reason to disapprove of their conduct. Really this argument from the form of the instrument of appointment, is as childish as those pretending to be founded on matters of fact are are erroneous. So much for that part of the right hon. Baronet's proposition which was founded on the disobedience of the subordinate Boards.

But, before he proceeded to notice the other charges made, he would mention that it had just occurred to him, that he thought the right hon. Baronet's mistake respecting Pepys's *Memoirs*, might have arisen, in consequence of his having quoted it at second-hand from the first Report of the Board of Revision, which was made to the House a great many years before Pepys's *Diary* was published. This Report referred altogether to the little book called the *Memoirs of the Navy*, and not at all to the larger work since published. Perhaps the right hon. Baronet had never seen the original work, and, therefore, he would show it him. The book commenced in this manner:—"In April, 1689, my unhappy master, James 2nd, was obliged to give up the throne." And then he went on to describe, not what had been done at the Restoration, but the measures of the few last years of that Prince's administration; but, as he had already said, it contained no colour for the right hon. Baronet's statements. He would not answer for the Report of the Board of Revision being the source from which the right hon. Baronet obtained his information, but he very much suspected it. If it was so, that Report had either misquoted Mr. Pepys, or what he thought much more probable, the right hon. Baronet had misunderstood the Report. In either case the right hon. Baronet was much to blame. He should not have taken the authorities on trust, he should have examined the original work which he quoted, but instead of doing so, he had been content to read with other men's eyes; and if indeed the Report of the Board of Revision had been his authority he had quoted at second-hand, and had, therefore, misquoted.

He was now about to advert to that part of the speech of the right hon. Baronet which was of the chief interest to the public, inasmuch as it charged the members of the Navy Board with a misapplication of the public funds intrusted to their management. This charge the right hon. Baronet had undertaken to prove in several instances, and more particularly in the cases of the erection of an hospital at Chatham, a Mill at Deptford, and Victualling Establishments at Plymouth and Portsmouth. The specific nature of the charge was, that more money had been applied by the Boards to those purposes than had been specifically voted by Parliament. He fully admitted that such had been the case, but, he contended that in doing so, the Boards had acted not only on custom, but on law; and there was no official man who had the slightest practical acquaintance with the business of the Navy, who could for a moment suppose, that the several sums voted *on estimate* for the charges of the Navy, could in practice be kept each under the exact head and to the exact amount at which it had been estimated; and, in proof of his position, he begged to read to the House an extract from *Mr. Hatsell's Precedents*. In the third volume of that work, page 209, he found the following words. After describing the usual course of proceeding in the Appropriation Act, it says—

> "But, in the instance of supply granted to the Navy, the practice has been different. In this service all the different grants are in the Appropriation Bill—are added together—and the whole sum arising out of the separate grants is appropriated generally for the Naval Service. This distinction in the form of proceeding between the Navy and all other public monies, has arisen from necessity, and the impossibility that there appears to be, from the nature of the sea service, to confine the expenditure of the sums granted to those immediate services, and no other. The long absence of ships in the different quarters of the globe, the uncertainty of their return, with many other circumstances, render it almost impossible to observe, in this as in other services, that rule which ought to be most strictly adhered to—'That the sums granted and appropriated by the Commons for any special service should be applied by the Executive Power, only to defray the expense of that service.' And this difficulty has, therefore, induced the House of Commons not to appropriate the sums voted for the Navy separately, 'but generally;' so that, if it should be found expedient and necessary, the whole of the Navy Money may be, by law, applied to any one part of the service, subject, however, to a future inquiry and examination by the House of Commons into the expediency and propriety of such an application."

In addition to this authority he would also quote the observations of Mr. Fox, who had observed, 'that there was nothing new 'in the Admiralty practice of applying to 'one service what was intended by Parlia'ment for another; it was authorized to 'do so, not only by custom and necessity, 'but by the very words of the grant, as 'any one might see by consulting the Act.' Thus the House would see there was nothing new or wrong in the practice that the right hon. Baronet had so much condemned. He (Mr. Croker) was ready to admit that, as a general rule, it would be highly objectionable to apply sums to a service, or even a branch of a service, not previously sanctioned by this House; but he did say, that with respect to the Navy, it had been the practice, both an ancient and a modern practice, to apply to objects which had been voted, money which had also been voted, but in sums greater or smaller as the case might be than each individual vote specified; and he would go further and affirm, that were the practice otherwise, it would be attended with the most serious inconvenience—with difficulties, indeed, which it would be, in his opinion, impossible to overcome. The right hon. Baronet, it seems did not deny that such had been the ancient practice, but he alleged that by a new form given to the Appropriation Act in 1798 and which new form had been since continued, the practice had been rendered illegal. Now, of all the first Lords who had had the responsibility of these matters since 1798, and there had been nine or ten of them, the right hon. Baronet was the first who had made this notable discovery. It had escaped Lord Spencer in whose time the alleged change had been made—it had escaped Lord St. Vincent no very lenient investigator of naval irregularities—it had escaped Lord Grey when in full youth and activity—it had escaped the cautious and inquiring mind of Mr. Thomas Grenville who had paid particular attention to the subject of the Naval Estimates. He mentioned these statesmen because they belonged to the party now in power and their authority would, therefore, be more weighty with the present Ministers. But to afford a practical view of the fallacy of the right hon. Baronet's new theory, he would more particularly refer to the very period at which the Act of 1798 was passed and when the affairs of the Navy were under the administration of the father of the noble Chancellor of the Exchequer. He did not do so invidiously or in censure but as a most respectable authority. He would always speak of Earl Spencer's administration of the Navy as every Englishman spoke of it. Its measures were glorious in war, and had been since found prudent and economical in peace. Even if it did not suit his argument, he trusted that he had too much admired in his youth, and after he came into office, found too much reason to approve the administration of the noble Earl to withhold from it his humble praise; but it did most eactly suit his argument. It so happened that, after the passing of the Appropriation Act in 1798, the money voted for the service of the Navy was applied in the same manner in which it had always been applied before, and, he might add, in the same manner in which it had been applied ever since. He would refer to an instance which could not have escaped the notice of Earl Spencer, because it was one to which his attention was peculiarly and interestingly called. The noble Earl conceived the idea that ships could be built at Milford Haven at a smaller expense than at other places. By way of experiment, he sanctioned the building of two ships the *Milford*, and the *Lavinia*, at Milford Haven. He need not state how anxiously Earl Spencer watched the progress of these vessels, which he thought, from local cirumstances, might be built at a cheaper rate at Milford than at other yards, as indeed he believed, they were. However, he found that, in 1798, 1799, 1800, and 1801, during Earl Spencer's administration of the Navy, and in 1802, 1803, and 1804, under the administration of Lord St. Vincent, the sums voted for these ships in successive Estimates amounted cumulatively to 130,000*l.* more than they cost. The greater part of the money voted never was applied to the ships at Milford, but was expended on the general wear and tear of the fleet in repairing ships which came home disabled in battle; and in providing for such unexpected accidents and contingencies as were inseparable from the naval service, and, above all, in a time of extensive war. The money being thus applied to urgent current services, it was necessary to vote every year a fresh sum for the building of the ships. The public, however, lost nothing by the transaction. Not a farthing more or less was expended, and if the sums voted for the *Milford* and *Lavinia* had been expended upon them, so much the more must have been added to the votes for the wear and tear, or current expenses of the ships afloat. But was it in large sums alone that this practice prevailed at the very period, namely, the year 1798, in which the right hon. Baronet would persuade us that it was abolished? He would adduce one or two very striking instances of the contrary. In 1798 it was determined to make a reservoir at Plymouth dock yard. The sums annually voted for this work were applied to other purposes, as the exigencies of the service required; and fresh sums being voted in a dozen succeeding years for the reservoir, the whole cost of the work appeared, according to the Estimates, to be 21,000*l.*, though not half that sum was expended. In 1798, 2,000*l.* was voted for the erection of a painter's shop; and a very sufficient sum it was for a painter's shop; but the House would hardly believe that a vote to the same amount was made annually, from 1798 to 1809, on account of this painter's shop, until it appears to have cost the country no less a sum than 24,800*l.*? The fact was, that, in this, as in the other cases, the money voted for the specific purpose had been otherwise applied, and, even to the present hour, the painter's shop was not yet built. He was not defending such absurdities, for he had done his best in the subordinate office which he had filled to put an end to them. But he now quoted them, because they occurred at the very period to which the right hon. Gentleman referred, as the best times of naval administration; and began in that very year in which he had stated that a new enactment had superseded the old practice. The reason why these indefensible charges were kept up for so long a time was, that the Estimates for the Navy were not printed and laid before the House. On his coming into office in 1809, he suggested to his noble friend at the head of the Admiralty, and to his right hon. friend Mr. Perceval, who was then at the head of the Government, the expediency of having the Navy Estimates printed. That suggestion being adopted, the consequence was, that the reservoir and the painter's shop and all similar deceptions were swept away; but that correction of a manifest and useless absurdity was never intended to prevent the application, in cases which could not be foreseen at the time of preparing the Estimates, of money which might be in the hands of the Treasurer of the Navy.

But the House would see, that all this was very much beside the real question raised by the right hon. Baronet: for the principle of expending Parliamentary grants for purposes other than those for which they were voted might be right or wrong, but it was with the Admiralty, and not with the Navy Board, that the responsibility of this appropriation lay. The right hon. Gentleman had adduced it as a charge against the Navy Board when it was with the Admiralty, and the Admiralty alone, that the blame, if any, rested, and ought to rest. Then, said the right hon. Baronet, "we found that, in the course of five years a sum of 560,000*l.* was applied in a way not specially voted by Parliament." This was perfectly true; but as a charge against the Navy Board the same answer was ready, that it was so applied on the authority of the Admiralty itself, and its application could not, therefore, be used as an argument for the dimissal of the Navy Board, and he was prepared to prove that not one item of the expenditure had been appropriated without the full knowledge and sanction of the Admiralty.

But the emphasis with which the right hon. Gentleman complained, that in so short a period as five years, a sum of 560,000*l.* had been spent for purposes not voted by Parliament, required a little more explanation. 560,000*l.* spent, not voted by Parliament, looked like a very fearful charge; yet when examined and explained, it really not only constituted no offence on the part of the naval administration, but was even some proof of merit and economy. In the first place, the right hon. Baronet expressed himself inaccurately, when he said "the sums were not voted;" they had been all voted, regularly *voted;* but it was true they had not always been *applied* to the exact items of service, for which they were voted; but such an application was specially warranted, as he had already shown, by the general law of Parliament, and by special statutes, which, considering the peculiarities of the naval service, provided that all sums voted for the Navy, under whatever heads the Estimates should have been made, should be considered as one general mass, applicable to the whole of the naval service, whether foreseen or unforeseen. The right hon. Baronet seemed to him not to have sufficiently distinguished between *estimates* and *accounts;* though certainly no two things could be more different. An estimate was in its nature uncertain—we *estimated* what we could not ascertain, and all the naval monies were voted on *estimate*—an account, on the contrary, which related to the actual expenditure, might be given with perfect accuracy, and accordingly we might have at the end of any year, an accurate and minute *account* of the actual expenditure of all those sums which were estimated at the commencement of the year. The estimate was to a certain degree, a vote of confidence; the account afforded the check, and the control, and the proof, that the confidence was not abused. Accounts must tally to a farthing; but estimates must have, as every gentleman in his private affairs knew, a latitude of allowance: an estimate included, not only all foreseen expenses, but it always provided a certain surplus for unforeseen contingencies. The portion of naval expenditure which could be reduced to a certainty was very small—the part which must be subject to the uncertainty of estimate was very large. Now the naval votes for the five years alluded to by the right hon. Baronet, amounted to about 6,000,000*l.* a year; and he would ask, was it to be expected, that on so large a sum, less than 110,000*l.*, or 120,000*l.*, that was about two per cent, should be allowed for contingencies, and to insure a surplus at the end of the year? He would venture to say, that estimates were seldom made in any private work, which allowed so little as two per cent for contingencies and surplus, and yet this very small per centage, very wisely and properly distributed over the estimates and voted by Parliament, was accumulated by the right hon. Baronet for five years, and formed the ground of his charge, that 560,000*l.* had been spent without the votes of Parliament. The charge was absolutely unfounded—the money had been voted, and the service to which it was applied was also voted; although the exact amount to be spent on each head of service within a given time, was not and could not be estimated. But even the right hon. Baronet did not pretend that any improper application of the money had been made—that one farthing had been lost—that one farthing had been unaccounted for. It could not be argued for a moment that any improper application had been made of surplus money in the hands of the Navy Board; and it was to be recollected that if the surplus was expended in meeting contingencies, the Estimate of each year was diminished in the same proportion. The case, therefore, as respected the economical appropriation of the money was, to use a homely saying, "as broad as it was long."

But he would not content himself with resting this practice of having an annual surplus, and of applying it to current services on these general grounds; he would follow the right hon. Baronet into the particular cases he mentioned, and he would show that such applications of the surplus were not merely legal, and indeed unavoidable, but highly useful and economical. The right hon. Baronet had prominently alluded to the case of the works at Cremill Point. Now, he (Mr. Croker) was ready, not to occupy too much of the time of the House, to accept this case as a fair example of the general practice, and he thought he could show that this case peculiarly exemplified the expediency of having a surplus at the disposal of the Admiralty. The time which it was contemplated by the original estimate, sanctioned by Parliament, that this work would require, was fourteen or fifteen years; but, in consequence of a surplus of 320,000*l.* having in the course of two or three years, accumulated in the naval Treasury, it was determined to apply it to this object, and the result was, that the work—a most useful and necessary work, and expressly voted by Parliament—was completed in six years, instead of sixteen. Here then was the explanation of the right hon. Baronet's most formidable case of misappropriation. The monies had been voted, the service had been voted, but the negligent and unprovident Board of Admiralty had managed to do in six years, what might have required sixteen; and had put the public in possession, ten years sooner than had been contemplated, of a most admirable and effective victualling establishment. In another point of view also, the appropriation of money in this manner was beneficial to the public. A contract had been entered into for the performance of a certain limited quantity of work at the place in question. After a short time, the contractor represented, that having his men and materials collected on the spot, a considerable saving might be effected if he were allowed to proceed more rapidly than had been originally contemplated, offering as an inducement an abatement of two and a half per cent. on his original contract. The Admiralty, having a surplus in their hands, accepted this offer, and thereby were enabled to save the public that amount. He begged, in making these remarks on special cases, not to be misunderstood as to his general principles. He freely confessed he was not one of those who approved of expending the public money, unless when specifically granted; and he would venture to repeat, that in his humble sphere, he had done something to control that practice, which he, however, thought could not and ought not to be wholly prohibited. For in cases of emergency, he thought it proper to confide to the responsible Ministers of the Crown a limited power to that effect. He did not contend that it would be right to apply money to works which had not been previously sanctioned by Parliament, except it was in cases of emergency, such as, for instance, the case which had been debated the year before last of the establishment of the hospital at Malta, at the period when we increased our force in the Mediterranean previous to the battle of Navarino. He was now speaking, to obviate any misconception, relative to the undertaking of new works without a previous vote of Parliament, which he limited to cases of unforeseen necessity; but neither the case of Cremill, nor indeed, any of the other cases complained of by the right hon. Baronet, were of the class of new works undertaken without the previous sanction of Parliament. They had been all voted, and the total sums for each approved, and in these cases, all that he had to contend for was, that the Admiralty was justified in applying the surplus votes to the more rapid completion of works thus authorised by Parliament.

The right hon. Baronet, among other charges, had stated that during the last four years a sum of 1,000,000*l.* of money had accumulated in the hands of the Treasurer of the Navy, being a surplus of the sums voted by Parliament for various naval services. This was, certainly, on the part of the right hon. Baronet, the most ungrateful, as well as the most unfounded complaint he had ever heard. The Navy Estimates were made up on the 1st of January in each year, though the money was seldom or ever voted till three months after; the real year of expenditure therefore, ended and commenced about the first of April, and the right hon. Baronet chose to call the sum that remained in the Treasurer's hands on the 1st of January, and which was appropriated to carrying on the service till April, an unappropriated surplus, for the accumulation of which he arraigned the late Administration; though it was obviously neither surplus nor accumulation, but simply the expenditure of the current quarter of the whole annual vote. It was this sum which enabled the right hon. Baronet since his coming into office to meet the various naval services, without calling on Parliament for any grant of money; and it had also enabled the Ministers to adopt their new plan of commencing their financial year in April instead of, as hitherto, on the 1st day of January. That was to say, to date the Estimates on the 1st of April, about the period that they were to be voted, instead of dating them three months sooner; so that in the present year, the right hon. Baronet would have to vote only three quarters of the annual expense, the first quarter having been already defrayed out of what the right hon. Baronet had not quite fairly represented as an "unappropriated surplus." He (Mr. Croker) approved of the plan of voting the supplies prior to the date of the Estimate; and such had been the old practice. When Parliament assembled in October or November, the money was voted on Estimates which commenced on the 1st of January following; but it had been the late general practice to assemble Parliament after Christmas, and if that were to be the invariable course for the future, the plan of dating the Estimates from the 1st of April would be very proper; but if it should happen (as he thought very probable) that the old mode of voting the naval supplies before Christmas should be again adopted, then, in order to execute his own purpose, the right hon. Baronet ought to date the Estimates on the 1st of January, as heretofore; but all this the House would see was neither a question of amount of money or control over expenditure, but a mere question of date—whether the year commenced on the 1st of January or the 1st of April, the annual expenditure would be the same. He had entered into this detail to show, that the right hon. Baronet did not really understand the course of business, and that his complaint about an unappropriated surplus, arose entirely from his mistaking three quarters of a year for the whole year, and from assuming that the last quarter of the current year, was, in fact, the first quarter of the future year, which was true in mere chronological date, but quite false in regard to the naval financial year.

For this mistake on the part of the right hon. Baronet there might be some excuse, but his next charge was one founded on error and inattention, of a less excusable kind. The right hon. Baronet had complained that, in the year 1830, a grant of 195,000*l.* had been obtained for timber which remained unappropriated to that purpose. Now, he really was surprised to hear the right hon. Baronet complain of this, more particularly when he recollected that the right hon. Baronet, on coming into office, had drawn up a balance-sheet of the items of naval expenditure for that very year; and, if he had looked into his own balance-sheet, he would soon have seen an explanation of the alleged neglect on the part of the late Administration to appropriate this sum of 195,000*l.* to the purchase of timber. It was to be recollected that the first and most important call on the funds of the Navy was the punctual payment of the wages of seamen. The law expressly directed that these wages should be defrayed out of *any* money in hand, and virtually prohibited the outlay of any sums whatsoever until the seamen's claims were fully satisfied. This precaution was taken from a fear of dissatisfaction, the consequences of which might be most serious to the interests of the country. Now, he repeated, had the right hon. Baronet looked to his own balance-sheet of 1830, he would have found that the Admiralty had been obliged in that year to pay 165,000*l.* more wages than had been voted by Parliament. The unexpected reduction of our foreign force, and the consequent paying off of many ships, had occasioned that unforeseen call for wages, and the express words of the law, as well as justice and common sense, required that out of any monies which should remain in the Treasury, the wages of the seamen must be paid. There was, consequently, no reason to charge the Members of the late Administration with any impropriety in the non-application of the vote, to the purchase of timber which the law obliged them to appropriate to the payment of wages. He had now examined, and, he trusted, refuted, all the right hon. Gentleman's general charges: which, however, had they been all true (which not one of them was) would have had no bearing on the present question, nor advanced one jot the right hon. Baronet's argument against the subordinate Boards; for all these charges applied, not to the Navy or the Victualling Boards, but to the Admiralty Board, which was alone responsible for every one of the transactions which had been referred to. So that these charges were made the ground-work for abolishing Boards which had no concern with them, and for increasing the power of that other Board which was guilty of the offence, if offence there was.

The right hon. Baronet seemed to have been aware of this, and therefore he proceeded next to allege certain instances of misconduct against these subordinate Boards. He would follow the right hon. Baronet into all these cases, and he should he trusted be able to show, that he was as much mistaken in these individual charges, as he had been in all the rest. Among the grave and weighty charges preferred against the subordinate boards, he would begin with the charge against the Navy Board of not keeping a certain ledger. Would the House believe so strange a fact as that the Navy Board, which had existed since the days of Henry 8th.—that this board, with all the offices connected with it, was to be abolished for not keeping a ledger? This ledger, be it observed, was a mere modern experiment; a few months old, having been ordered so lately as the year 1830; at the close of that year the late Administration went out; and because the right hon. Baronet found on his accession to office that the Navy Board did not keep the ledger, so recently ordered, it was, forsooth, to be swept utterly away, and its functions were to be handed over to the Admiralty, which had never kept a ledger at all, and was no more fit to keep books of account than the Navy Board would have been to direct the public policy of the country. But, suppose that he should be able to show, that the fault of not keeping the ledger (if fault it were, which he did not call it) was attributable to the Admiralty itself? He would enter for a moment into the history of this ledger—a matter so trivial and of so little real value, that he should not have ventured to trouble the House with an explanation of it, if the right hon. Baronet had not swelled it into such absurd importance. It had been the duty and desire of his noble friend, lately First Lord of the Admiralty and his colleagues at that Board, and particularly of his hon. and gallant friend (Sir George Cockburn) who sat near him, to make every practicable reduction in the naval department. In this reduction his noble and gallant friends, had, perhaps, in some cases, gone too far—certainly they had gone as far as they could. With this view the clerk of the check in the dock yards had been reduced, as it was considered that the benefit of his peculiar services might be attained by keeping a ledger at the office of the Navy Board, similar to one, heretofore kept by him, at the yards, and orders to that effect were given; but the Navy Board very naturally and truly represented, that if they were to execute these additional duties, which had occupied heretofore the clerks of the Check, and several inferior clerks at each of the yards, the Navy Office, in town, would require a proportion of additional clerks to discharge this duty. To meet this objection, the Admiralty made a new arrangement. The materials for the proposed ledger consisted, first, of all the original vouchers for every receipt and issue; and secondly, of an *abstract* of all these vouchers. The chief clerical labour, it was clear, was in forming this abstract from the original vouchers; when this was done, there only would remain to copy the abstract into the ledger, a business of comparatively little trouble. The Admiralty, therefore (still persisting in its desire to diminish the number of clerks), directed that the abstracts should be made at the several dock-yards and transmitted to the Navy Office, where it could be easily posted into the ledger. This, of course, lightened the labour in town, but the officers at the several dock-yards remonstrated that the vouchers and check notes amounted to 500 a day, and that it would be impossible for them, without further assistance, to make out the abstract required; upon this Representation, the Admiralty rescinded its late order and decided that the Navy Board, without getting additional assistance, should be required, not only to keep the ledger, but to make out the abstract from the original vouchers, which amounted in number, as had been already stated, to about 500 a-day. The Navy Board certainly remonstrated against this order, but did not disobey it. That there was some delay in keeping the book was not to be denied; but that delay was not surprising, when the quantity of increased duty imposed upon the Board was considered. And, as if to complete the justification of the Navy Board, the right hon. Baronet was himself so satisfied with the reasons given by them for the arrear, that, when he came into office, the Admiralty, for the third time, altered its orders, and relieved the Navy Board of the duty of making the abstract. The hands of that Board being thus set free, they fell to work upon the ledger with such assiduity, that he understood from his hon. friend (Sir Byam Martin), the late Comptroller of the Navy, that it was in a great state of forwardness at the very time the right hon. Baronet was saying that such was the state of arrears in which the book was, that it had been abandoned, as utterly and absolutely hopeless. No doubt it was in arrear, when 150,000 or 160,000 documents had to be entered in it per annum, without the assistance of the abstracts, and without the help of a single additional clerk; but as soon as the abstracts were again supplied from the yards, the work was easily got through. It appeared from this, that the instant the Navy Board received orders to keep a ledger, they did their best to comply with those orders, and continued doing so until another order came, which suspended these proceedings; but, upon the arrival of a third order, which removed this suspension, they again kept their ledger; and that, at the moment that the right hon. Baronet, no doubt from misinformation, was stating boldly in that House that the ledger was in a state of hopeless arrear, the ledger was, on the contrary, in a most advanced state and with much less arrear, than considering the orders and the counter-orders, with which the Admiralty had perplexed the business could have been reasonably expected. Such were the unfounded and ridiculous charges of disobedience and delay in respect to the ledger, under which the ancient constitution of the Navy was to be destroyed, and its duties transferred to the very department which had first caused the delay, and had finally admitted the necessity of the disobedience.

The next point of accusation to which he would advert was much more serious, not as regarded the Navy, but as regarded the right hon. Baronet opposite—he meant the non-reduction of labourers in the dock-yards. The right hon. Baronet had stated —'This, however, is not the only instance 'in which the orders of the late Board of 'Admiralty have not been carried into 'effect. An order was made, framed, as 'I think, on the most judicious principles 'with regard to the reduction of the number of labourers in the dock-yards. The 'regulation was signed by Lord Melville, 'and it contains a positive direction that 'the number of labourers shall be reduced 'on the following principle. In addition 'to the reduction already made, no com-

'missioner was to enter any man into the 'yard except in lieu of those who might 'die or be discharged. They were to be 'reduced to 6,000, including apprentices, 'and no new apprentices were to be taken, 'unless in cases of death. This was the 'number which it was considered fit and 'proper to keep up in time of peace.' And, further on,—'Now, when I accepted office, 'I think this order had been one year in 'operation, and the number of workmen 'was 7,716: the number employed on the '31st of January last, was 7,473; so that 'there was only a reduction of about 250 'men. I have stated so much in order to 'shew the inefficient control on the part of 'the Admiralty, and the imperfect obedi'ence on the part of the Navy Board.' Now, in direct and positive contradiction of every syllable of this charge, he (Mr. Croker) would take upon himself unequivocally to assert, in the face of the right hon. Baronet, that there was no disobedience on the part of the Navy Board, and that the right hon. Baronet was, he must presume, misinformed upon, and therefore had mis-stated every one of the facts. The right hon. Baronet said, that a positive order was given, but that was not the case. The order was contingent and to this effect: That it being necessary to reduce the public expenditure as much as possible, with as little inconvenience to the public service as could be, and their Lordships having determined to reduce the number of workmen in the yards - not as stated by the right hon. Baronet to 6,000—but to a number which should be named at a future time, the Commissioners of the yards were not to enter any more men in lieu of those who should happen to be from accidental circumstances, discharged, nor to enter any apprentices, except in the case of death. So that these "positive" directions of the Admiralty to the Navy Board amounted to nothing more than this, "We intend to reduce the number of workmen, but to what extent we have not yet determined." The reduction was not to be immediate, nor by discharge, nor by any other means within the control of the Navy Board, but was to take place by the hand of God, and the course of time. Now, what did this contumacious Navy Board do upon this? What was the proof of imperfect control on the part of the Admiralty, and of the disregard of the Navy Board to its positive directions? The order was issued from the Admiralty in January, 1830, and the very next day the Navy Board carried it into effect; and as if, anticipating that it might be charged some day with pertinaciously disobeying the orders of the Admiralty—although, of course, his gallant friend (Sir Byam Martin) could have had no idea that his Board would have been suspected and traduced as it had been—yet, as if anticipating such a charge, the Navy Board had not even taken advantage of giving the turn of a phrase to the order—of interposing twenty-four hours delay—of throwing any impediments in its way—they did not send it to the dock-yards, as if it had been a measure of their own, which, upon remonstrance to the Admiralty, might be arrested —they did not take an opportunity of throwing any doubt or difficulty in the way, as they might have done, if they had intended to thwart the Admiralty — no, they had acted with a degree of activity and zeal which was quite exemplary, and the very next day the letter of the Admiralty was literally copied, and sent down to the different ports with positive orders that it should be immediately carried into effect. And yet the right hon. Baronet had not hesitated to state, that the Navy Board on this point, had "pertinaciously disobeyed the orders of the Admiralty." About three months after this—that was, in the month of March—the Admiralty having made up its mind as to the amount of the reduction of men, told the Navy Board, the number to be ultimately retained was to be limited to 6,000. But the Admiralty—so far from expecting that such a reduction was to be effected, all at once—so far from hoping that there was to be such a cholera morbus in the yards —such a pestilence, as, in the course of a few weeks, would cut down the existing number of workmen to 6,000—still contemplated the reduction being gradual, and considered its operation as likely to be so slow, that they directed, that when the number of men was reduced to 7,000, they were to work the whole of Wednesday; (for, at present, rather than discharge shipwrights, they had been curtailed of their Wednesday's work so that a greater number might be kept at comparatively a small expense.) The Admiralty further directed, that when the number was reduced to 6,500, the men should work the whole of the six days in the week. It was clear, from all this, that the Admiralty did not expect the enormous reduction they ultimately contemplated in the yards to take place between the months of March and November; and yet, because it had not so taken place, the right hon. Baronet complained that when he came into office, the Navy Board had disobeyed the "positive" orders of the Admiralty. He had now stated exactly how the case stood. What, then, became of the statement of the right hon. Baronet, that the Navy Board, in defiance of the "positive orders" of the Admiralty, kept up the number of shipwrights? The right hon. Baronet had triumphantly asked the other night, why the Navy Board did not obey this order of the Admiralty? And was very much surprised, when told, in answer, that no such order as he spoke of had been given; and it was now an admitted fact, that the right hon. Baronet had been so strangely misinformed and mistaken, as to have asserted, that an order was given which, it appeared, had really never been issued. Was it upon such evidence so misapprehended, so mis-stated, so misapplied by the right hon. Baronet, that the ancient constitution of the Navy was to be overthrown and the whole duties of the Navy Board transferred to the special responsibility of the right hon. Baronet, who had shown himself to be so entirely unacquainted, not merely with the course of business, but with the clearest facts of the cases which he had attempted to state?

But there was another complaint against the Navy Board, and that was, that it kept a book of prices, and that this book of prices was so negligently kept as to be erroneous, not to say fraudulent, in some of its most important details; and as examples of those crying errors, the right hon. Baronet, with laudable minuteness stated, that the public, under this book of prices, was paying *1l.* 1*s.* for lead, and 15*l.* for iron, when the market prices were respectively 14*s.* 6*d.* and 10*l.*? No such thing. The fact was, that nothing was bought or sold by the book of prices. It was a mere scale for bringing the materials employed at the several yards into calculation at a common rate—something like what in commerce was called the official value of goods, which was only used for the purposes of comparison. Suppose it was required to know the value of any two ships; each would, of course, be composed of timber, of iron, of lead, of copper, of hemp, bought in different years at various prices. If one had happened to be built of materials which had been purchased at high prices, and the other of materials bought at low prices, the cost of the two ships might be in very different proportions, though the value of the ships would not; in computing their value, then, it was necessary to bring the materials to one common average valuation. How, indeed, even if it were desirable to make the calculation in any other way, would it be possible? for what number of clerks and accountants would enable the Navy Board to compute the value of a ship from the actual cost of every separate piece of timber, every distinct bar of iron, every individual pig of lead; the thing would be impossible, and if possible, useless. At Milford, timber was generally cheaper than at the other yards, at least that was one of Lord Spencer's reasons for building at that yard: while from their contiguity to the great London market small stores and the produce of the Baltic were cheaper in the rivers Thames and Medway, while, again, at Portsmouth copper was, from the contiguity of the copper mills, a shade cheaper there than at the eastern and western yards, how absurd would our calculations be, if in fixing a general value, a general average were not to be adopted. Then in the money debits made against storekeepers, warrant officers, and other persons having custody of stores, and pecuniarily responsible for them, it was necessary to have some general measure of value, so that one officer should not be charged at a different rate for the same article, from another who had happened to fit out at a different yard, or to be furnished with an article which had been bought at a cheaper rate. It was evident therefore, that it was not a fluctuating market price, but a general average value that was required in such a document. If it were said, that the price-book ought to have been amended, he replied that he thought the Board was right in not altering it too frequently; for it must be recollected, that it cost much time, trouble, and expense, taking the officers from their work for many weeks, and really for no good purpose, for, after all, the book of prices was merely a means of comparative charge, and did not affect the real cost of any of the articles. But let what would have been done, however frequently the book might be corrected, it would have been impossible to meet the views of everybody. Some thought the articles ought to be put down at the *cost* price, whilst the right hon. Baronet thought the *market*-price ought to be charged; and his hon. friend, the member for Thetford, (Mr. A. Baring) with whom he had had some communication upon the subject, and whose opinion on such a subject was of the greatest weight, said, that he did not know what ought to be done, but he was rather inclined to think, in opposition to the right hon. Baronet, that the *cost* price ought to be charged. When the prices in the book were fixed, the price of lead was 21*s.* and 22*s.*, but the discovery of a rich Spanish mine made the lead of this country a drug, reducing its selling value to 8*s.* and 10*s.*, and at that price it was of course now bought by the Navy Board. Did anybody, except the right hon. Baronet, complain of the Navy Board, that because lead had fallen from 22*s.* per ton to a much lower price, on account of the discovery of a Spanish mine, they had charged it at the price it had cost, for observe what would be the result in the right hon. Baronet's own example, of following his own rule, the Navy Board would have been bound to price at 8*s.* or 10*s.*, what had actually cost the public 22*s.* Again, suppose the right hon. Baronet's plan of making the price-book agree minutely, and to every fraction, with the market price, what would follow? That there should be a new price-book every week according to the variations of the market, and that no two ships in the navy would be estimated—no two officers charged—at the same rate. But although the price-book was more a matter of comparison than anything else, it was still desirable that it should approximate to current values, and, therefore, he thought it should be revised every ten or a dozen years, but, that he ventured to say, would be quite often enough for any useful purpose. He had gone into more detail on this point, also, than he thought it deserved, but the fictitious importance given to it by the right hon. Baronet, made it necessary to show how futile the allegation was, as instituting a charge of culpable negligence or waste on the part of the Navy Board.

The next charge was, that the Navy Board had neglected to make sufficient surveys of the stores in the custody of the several storekeepers of the yards; the consequence of which was, as the right hon. Baronet had been pleased to say, that five and a half tons of copper were stolen from Chatham dock-yard, and the robbery was discovered, not by any vigilance of the officers, but by accident, at Birmingham. Now he must tell the right hon. Baronet, that no surveys of the stores in the dock-yards could have prevented or detected that robbery. It was proved at the trial, that this copper was not in the possession of the store-keeper at the time it was stolen; so that the yard might have been put to an expense of 5,000*l.*, and four months might have been employed in turning over the stores in his care, without the possibility of missing the articles stolen. He would tell the right hon. Baronet, from what had transpired at the trial, how he thought it probable this copper was taken. A small portion of it was issued by the store-keeper for use to an inferior officer, called the cabin-keeper, who stole it, and who was afterwards transported for the offence. It was clear that no survey of what was in the hands of the store-keeper could have detected the loss of this copper, which had been already discharged from his custody. The greater portion of the copper was, however, taken from old ships, which were being broken up. The men employed in breaking up the ships, might have thrown the copper over the dock-yard wall, or secreted it in their clothes; but at all events it never came into the store-keeper's hands, and of course could not be missed on any survey of his stores. Five tons and a-half of copper sounded like a great deal, to be stolen without being missed; but when he told the House that the quantity of copper procured on breaking up a seventy-four gun ship was not less than forty tons, it would not be surprised at five tons and a-half being stolen from Chatham dock-yard, where so many ships were broken up. No blame, therefore, could attach to the Navy Board for not having prevented or discovered this robbery by a survey, when no survey could have effected either of these objects; and it showed a very inaccurate knowledge in the right hon. Baronet of the subject he was discussing, when he alleged that any survey of the storekeeper's remains could have prevented or detected the plunder of an article which never was in his custody. But, then, the right hon. Baronet remarked, must there not be a very bad look-out kept, when such a robbery could have been committed? But this was one of the consequences of the economy which the will of the House and the necessities of the country induced the late Government to pursue. The right hon. Baronet stated the other night, that no nation paid so much for checks as we did. The late Administration endeavoured to lessen that expense by reducing the number of watchmen, warders, and others, called idlers, because they had nothing to do but to prevent others from committing depredations. The country, however, if it did not wish to be plundered, must submit to some expense in the way of checks. He was afraid that human nature required these checks; but to adduce this robbery as a reason for the abolition of the Navy Board, was one of the most extraordinary parts of this whole transaction; because these checks had been diminished by the Admiralty contrary to the advice and remonstrance of the Navy Board. The case of that Board was, indeed, a hard one in the hands of the hon. Baronet. When they remonstrated against the reduction of watchmen, they were accused of "thwarting" the economical proposals of the Admiralty; and when, in consequence of these watchmen being reduced, plunder had occurred, they were made responsible for the robbery.

He had now noticed every one of the causes for the abolition of this Board, mentioned by the right hon. Baronet. He might have been tedious upon some of the points to which he had referred, but at least he had not omitted a single accusation, and what did they all amount to? Nothing—absolutely nothing. Those who had made these charges, knew that they amounted to nothing, and he thought that he might take on himself to say, that there was not one scintilla of evidence of sufficient weight to justify the alteration that the present Government was preparing with respect to the affairs of the Navy. The right hon. Baronet had taken occasion to refer the House to the authority of Mr. Pepys, for facts and opinions which Mr. Pepys had never stated; he (Mr. Croker) would refer to the same authority, but would produce the very words of Mr. Pepys; and he begged leave to call the attention of the House to the following passage in that gentleman's diary, which described the value of an attempt that was then proposed for altering the system of the naval affairs of England:—"And the Duke of York, Wren, and I, it being now candle-light, went into the Duke of York's closet, in Whitehall; there read over this paper of my Lord Keeper's, wherein are laid down the faults of the Navy so silly, and the remedies so ridiculous, or else the same that are now already provided, that we thought it not to need any answer, the Duke of York being able himself to do it; that so it makes us admire the confidence of these men to offer things so silly in a business of such moment." Upon which Mr. Pepys exclaimed, "But it is a most perfect instance of the complexion of the times!" And so he (Mr. Croker) would exclaim, that this description of what was proposed in 1668, was another example of what "silly things men would offer in a business of such moment."

But it was not on a consideration of details only that he rested his opposition to this plan. It had, to him, the higher and more constitutional objection of giving by far too much power to the Admiralty. The whole gist of the plan appeared to him to be, to dismiss the independent Boards, and to substitute individuals in their place, who would find it prudent to submit, without opposition, to whatever the Lords of the Admiralty should direct; the result of which would be, that the whole despotic influence would be thrown into the hands of the Board of Admiralty. He would take on himself to say, that the power of that Board, under this Bill, would be greater than that of the Monarch—greater than that of Charles 2nd, or James 2nd, when they declared themselves Lord High Admirals.

The right hon. Baronet proposed to make the Admiralty an account office, the right hon. Baronet being apparently ignorant that the Admiralty was not calculated for duties of this description, and was by the Constitution wisely prohibited from exercising any such authority. The Admiralty never was at any period a money-account office. The right hon. Baronet seemed to forget that, by the constitution of the Admiralty, they were not authorised to direct the payment of a single shilling of money, unless with the previous sanction of the King in Council. He did not mean to deny that, of late years, there had been occasional deviations from that principle, against which, however, he always protested while he had the honour of holding place under the late Government. Such a protest now-a-days would be a sufficient cause for his dismissal; advice or remonstrance from a subordinate officer against what he might in his conscience think wrong, was now called, "thwarting one's superior;" and was visited by instant annihilation; but he had then more indulgent masters than it seemed the new Admiralty would be. They, on all occasions, received kindly his humble advice, and generally acted on it; and never, for a moment, seemed to think that the exercise of a conscientious duty was liable to be considered as "disobedience" or "thwarting." Constitutionally speaking, he would say, that the King, surrounded by his Cabinet Ministers in Council, ought alone to exercise the great powers which it was now proposed to vest in the Admiralty Board. According to the plan proposed, so far as he could see, they would be under no check from the King in Council. But, said the right hon. Baronet, there is to be an audit. Oh, what an audit! It would be an audit in which he, for one, could not place the slightest reliance. The order of the Admiralty was to be all sufficient, and no person, or body of men, would have a right to resist it. There was to be one Lord of the Admiralty, it seemed, at the head of each of the five great branches of the service. Was his control to be real and effective? If so, the subordinate officers of the department must obey, and they could be subject to no responsibility, for all the responsibility remained with this individual Lord of the Admiralty. But it seemed that, by the proposed plan, an order signed by two Lords of the Admiralty would be necessary to execute the directions of one. This appeared to him an unanswerable objection to the plan. One Lord was to be enough to decide all questions—to execute the whole practical service; but to do the formal part of the business, in which there was no discretion or responsibility whatsoever, two Lords were to be necessary. One Lord was to have authority to dispose of millions; but two were necessary to sign the most ordinary papers, of which, by the new constitution of the Board, one of them could know nothing; so, when the objects of the Lord who presided over the stores were to be carried into effect, he must say to the medical Lord, or any other Lord who might be at hand, and who would know nothing about stores or accounts, or any department but his own, "Hollo! come, put your name to this order." The Gentlemen composing the Board of Admiralty ought to be persons of the highest eminence in their profession, distinguished for their naval experience and abilities; but from their habit of life it was not to be expected that, generally speaking, their acquaintance with civil affairs, could be such as fitted them to preside over such departments as it was now proposed to establish. Were they to be at the same time ship-builders, store-keepers, pursers, accountants, and medical men? Let it not be supposed that he was fancying a case, for all this was actually intended and proposed by the Bill of the right hon. Baronet. Let him, for instance, suppose a naval officer placed at the head of the medical department. When he came to be seated face to face to the physician, he would have to dispute with him about prognosis, diagnosis, diaphoretics, and astringents, and such technicalities of the art. And, supposing it seemed good to the naval officer to differ from the medical man in these respects, a pretty situation they would be placed in. Perhaps the naval officer might be of opinion that too much bark had been used. "Who," the satiric poet asked, "shall decide when doctors disagree?"—but who, he would ask, in the name of Heaven, was to decide, when the seaman differed from the doctor? Was this as it ought to be? Could there be any responsibility, when the chief medical man of the Navy was to have his opinion overruled by a young captain? To him it seemed just as preposterous as if the doctor were to presume to instruct the captain in navigating or fighting the ship. But the most important of the whole, was the accountant branch. For his own part, he had not been lucky enough to meet with many naval officers who would condescend to turn their attention to a thing so much beneath them, or at least so remote from their habits and their usual duties, as the mysteries of book-keeping; and, at all events, he might safely assert, that there were very few men of any but the mercantile profession, who were capable of keeping accounts with that accuracy and technicality which would be necessary for such an important office. He (Mr. Croker) had had a pretty long experience of Admiralty business; and, without pretending to any great sagacity, would say, that he was as likely to understand something of the civil affairs of the Navy, as most of those who might be called for the first time to the Admiralty: yet, if he had still continued in office, and that the first Lord of the Admiralty were now offering him the superintendence of the accountant department, he should feel it to be his duty, most unquestionably, to decline it, from the feeling that he was not fit to undertake such an office. [Here Mr. *Poulett Thomson* made some observation.] He (Mr. Croker) knew very well that the right hon. "fructifier" opposite (the Vice President of the Board of Trade) was a most valuable accountant; and he understood the right hon. Gentleman to intimate, that he would not trust him (Mr. Croker) with accounts.

Mr. *Poulett Thomson:* "I meant no such thing."

Mr. *Croker:* at all events, the right hon. Gentleman seemed to cheer an expression to that effect, which he had just used with respect to himself. All he could say was, that the right hon. Treasurer could not value lower than he himself did, his (Mr. Croker's fitness for any such office; but if he (Mr. Croker) were, after twenty-two years' experience, so unfit, what was to be said of confiding the duties to Gentlemen who not only had no experience in the civil service at all, but whose education and habits were totally incompatible with such inglorious, but not unimportant duties. But let that be as it might, he would still ask whether any naval officer would like to put himself in such a situation of risk and responsibility, when he must feel that his previous habits were not at all calculated for such an office. If such a system was attempted, he knew very well what must happen. The subordinate man would do all the business. It could not be otherwise. And then, if he was correct in this position, might he not ask, whether it would not be better to give the subordinate the responsibility, as well as the business?

This consideration led him to offer a suggestion to the right hon. Baronet, namely, that he should form these five subordinates into a distinct Board. If he did that, he would get rid of a large portion of his (Mr. Croker's) objections to this plan. If the right hon. Baronet would constitute these inferior officers a Board of five, the whole would equally come under the general superintendence and control of the Board of Admiralty. This proposition would make no alteration in the right hon. Baronet's plan, except the placing the responsibility where it really should lie. The subordinate details of the naval service afforded, as experience had unfortunately shown great temptations to peculation—false accounts and other pecuniary irregularities; to check, to detect these would be easier, safer, and more effectual in a Board than in any individual. It would always happen, among any set of men, that some one might behave dishonestly; but the greatest check that could be put on them was, to congregate them together; for it was a principle inherent in human nature, that, though an individual might be disposed to behave dishonestly, he had a strong inward objection to seek the confidence of others—to form a partnership of iniquity. He was, therefore, reluctant to place the money and store accounts of this immense service in the hands of any individual whatsoever—the persons intended to be placed in these situations were, he doubted not, most respectable men, but so individually he would say of all those whose accounts they were to examine and check—but, nevertheless, these unpalatable persons were to be checked by the new officers, and speaking not of the individuals but of human nature, he wished those new officers to be themselves under some effective control. And so far from his plan offering any diminution to the superior control of the Board of Admiralty, it would, in his opinion, increase it; for, instead of having five Lords of the Admiralty, worn down by the fatigue of details, so as to be unable to look after the higher duties of their station, all those details would fall to the share of the subordinate Board, and the Board of Admiralty would constitute a complete and effective check upon their actions, instead of being, as by the proposed plan they would be, puzzled and embarrassed between absolute authority, semi-responsibility, and complete ignorance.

When he looked at the manner in which the right hon. Baronet had argued the propriety of making this change, it appeared to him as if he had entirely overlooked what was the great object of the country for which the Board of Admiralty had been constituted. What, according to this plan, was to become of all the military transactions connected with the naval service? What was to become of the natural occupations of these naval officers? They would be wearied with the details of duties they could not understand, and incapacitated by fatigue and confusion, for those which they did. For his part, he did not think it possible that they could adequately perform those various duties, even on their recent introduction to office, when the proverb would be on their side, that "new brooms sweep clean;" and, he would ask the hon. Baronet himself, whether he and his colleagues had, since they had been in office, found the labour so light, or that they had so little to do, as to justify the surcharging them with additional duties? For his own part, he did not think it possible that more duties could be adequately executed, though he saw, without admiring, the boldness with which more were undertaken: and he said, that, even in the time of peace, we ought to take care how we overloaded the public servants, lest, when the real time of difficulty arrived, it should be found that they broke down under the weight imposed upon them, and at that very moment when it would prove most pernicious to the interests of the country. In the time of peace we should prepare for war. In the time of peace we should arrange the Departments in such a way that, when the day of exertion came, we might, by the addition of inferior hands, enable the heads of the different Departments to carry on the increased service. That, according to his opinion, was the true principle of economy: reduce the numbers as low as you please, but on no account alter the principle; by which means, you will always have a system of vitality and vigour on which to engraft still further power. But, on the contrary, if they made this alteration, he would tell them that, on the first rumour of war, the whole would break down, and the country would be exposed to imminent danger.

He further contended, that not one farthing would be saved to the country by this new plan of the right hon. Baronet. On the contrary, much would be lost. Let him give the same salaries as he now proposed. Let him constitute his officers how he pleased—whether by patent or by warrant, he would not quarrel with him about such formal matters as those; he would not balk the right hon. Baronet's idle fancies, or pull down the pretty gewgaws with which he was seeking to dazzle his own eyes. All that he wanted was, to have the safety of the country insured—the safety of the Navy and the country;—and for the rest he cared not. Under this view, would the House allow him to ask what, with a single officer to each department, would become of the country's service in case of that officer's sickness or other occasional absence? What would happen if the Accountant, or Victualling Lord of the Admiralty were sick or absent? Why, a colleague must be called from the management of the stores, or the medical department, or the dock-yards, to act in his stead. Unless, perhaps, the First Lord of the Admiralty himself should abandon the great political and administrative duties specially confided to him, and devote himself to summing up the items of *necessary money*, or weighing the proportions of *dholl* and *calavances*. What a farce would this be! Whereas, by the appointment of a Board, the consequences of the absence of an individual member would be obviated by the general knowledge and co-operation of his associates.

He would put the question, however, upon still higher grounds. It was possible that the business might go on more smoothly and easily under this new system; but did human prudence sanction the House in supposing that business went on more efficiently, more economically, because it went on with ease and smoothness? It was well known that nobody commanded an army so effectually as a despot. He said, "come, and they come: go, and they go." There was no remonstrance to his orders. Every thing that he commanded must be attempted, if not executed; but when all that was done, there was an exercise of tyranny against which every heart naturally and necessarily revolted. If the First Lord of the Admiralty were to be armed with despotic power, no doubt he would think that all went on smoothly and well. He would have no "thwartings" or "disobedience" of subordinates; but was that a state in which any department in this country could long exist. Could the country itself exist with such a tyranny in the bosom of its most important service? Though he was prepared to say, that great immediate danger would result from the inordinate power intrusted to the Board of Admiralty, yet, judging from the speech of the right hon. Baronet, and the doctrines laid down, he saw in this measure the principle of an inordinate power, which ought to be resisted in the outset.

The right hon. Baronet had alluded to the many years the Navy had been governed under the old system, and the many glories it had achieved; but the right hon. Baronet was about to destroy that ancient edifice, in order to erect this new-fangled building of his own. And at what period was he doing this? At the very period when other nations, not so happy as this, were, in imitation of the acknowledged merits of our ancient system, establishing Boards like those the right hon. Baronet would destroy. The right hon. Baronet had stated, that he had taken a lesson from the French as to their mode of keeping their public accounts: he was ready enough to praise the French when it suited his purpose, but he was blind and deaf to their evidence on other points, to which however he might have given some consideration; for instance—It was but a few years ago, that the French established a Board similar to our Navy Board, which was called the Council of Admiralty. It had, he believed, some of the duties of our Admiralty Board to perform; but it had all the duties of our Navy Board. He felt ashamed to quote—he felt ashamed that he should have lived to invoke the example of France, as worthy of our imitation, in naval matters; but the invocation was not his—it was that of the right hon. Baronet; and he (Mr. Croker) had only applied it. Let the House look, too, at America. America had also within a few years established a Navy Board. He had that day looked at the Act of Congress, establishing that Board, and it was in substance very much the same as the patent establishing our Navy Board; and he believed that some of the instructions for our Board were embodied into that Act of Congress. Yet, when that was the case —when our nearest neighbour and most frequent enemy, and our younger and greatest naval rival, were both establishing Navy Boards; we, rejecting their experience, and our own, took the first opportunity of pulling down that most ancient and admirable establishment, which those other nations were endeavouring to imitate.

He begged pardon for troubling the House at such length, but he had been in that service for twenty-two years—he filled a high and confidential situation in it, and he should have deserted his duty to the House and the country, if he had not given his opinion on the right hon. Baronet's plan. He would say one word more. What was to become, under the new plan, of the Secretary to the Admiralty? It would be impossible for any individual to do the duties which would, or, at least, ought to devolve upon him. For twenty-two years that he had filled that office, he had been only twice absent for three weeks, at any one time, and generally he had been unable to absent himself, at any one time, for more than a few days. During the whole of those twenty-two years he had never left the office for one hour, or even for one half hour, without leaving word where he was to be found. This close and constant attendance was necessary for the due satisfaction of his conscience in the discharge of the duties of the office, such as they then existed. What would then be the situation of the Secretary of the Admiralty, who was to be also the Secretary of the Navy, and the Secretary of the Victualling, and the Secretary of the Transport, and the Secretary of the Medical Departments? He would say—and the strong assertion had all his experience for its justification —that, if the principle laid down by the right hon. Baronet were carried into execution, he would say, that two or three, or four Secretaries of the Admiralty would be scarcely sufficient; nor two, nor three, nor four Secretaries to the separate Commissioners. They might get inferior people, undoubtedly, at a lower salary, as Secretaries to the Commissioners; but, whatever assistance they might get, it would be impossible to carry on the business of Secretary of the Admiralty, as that important and responsible office ought to be conducted, on the plan of the right hon. Baronet. He might be, perhaps, partial to an office which he had so long filled, inadequately he acknowledged, but faithfully and zealously; but he would say that, in his opinion, the due execution of the duties of that office were most important to the best interests of the country— and that, if the person who held it were to be called away from his higher duties to all the inferior details with which the Admiralty Board was encumbering itself, the evil would be greater than would be compensated by saving the salaries of the subordinate secretaries.

He attached, however, no great importance to these personal and secondary considerations. His great objections were, to the rash haste, the sweeping extent, the complication and unconstitutionality of the general scheme. Individual injustice and technical difficulties there were in abundance; but all such considerations vanished before the danger to the country, which this measure might involve. He wished he could hope to persuade the right hon. Baronet to pause in his course—to proceed a little more cautiously—to try his scheme by degrees, instead of blindly and rashly, taking a step which it would be difficult to retrace —a step perilous in itself—and, if it should happen to be a false one, a step which might be ruinous to the country.

Sir *James Graham* said, that before he replied to the objections of the right hon. Gentleman who had just sat down, he had been most anxious to hear the observations with which other hon. Gentlemen might be inclined to support them; but finding that no other hon. Members were inclined to follow the right hon. Gentleman on that side of the question, he had now risen to address the House, thinking that it would not be respectful to it to let the matter go to a division, without making some remarks upon it. He thought that he had good reason to congratulate himself that, throughout the whole of his long premeditated speech, the right hon. Secretary had busied himself with replying, not to the speech with which he (Sir James Graham) had introduced this measure to the House, but to the speeches which he had made on naval affairs, not only in the present, but also in former Sessions of Parliament. He would endeavour to follow the right hon. Gentleman regularly through all the topics of his very discursive speech—a speech in which he had endeavoured to refute speeches which he could not refute at the time when they were made, and in which he had omitted all consideration of the arguments by which he (Sir James Graham) had, on a former evening, endeavoured to recommend this measure to the favourable notice of the House. And here he would remark, that he could not help being surprised, that there should be so strong a lurking suspicion in the mind of the right hon. Gentleman, that he (Sir James Graham) had misquoted the authorities which he had produced on a former occasion, in support of the provisions of this Bill. He would not enter into any investigation of the reasons which induced the right hon. Gentleman to entertain such a suspicion—he would only say, that he believed he was not more likely to make a misquotation to gain a temporary advantage in debate than the right hon. Gentleman himself was, and, therefore, he was surprised to hear the right hon. Gentleman accusing him of falsifying, though not intentionally, the authority of Mr. Pepys. He begged the House to attend to the course which the right hon. Gentleman had pursued upon this occasion. In the first instance he had endeavoured to make the House believe, that he (Sir James Graham) had addressed it without any authority; but then seeing that he (Sir James Graham) held in his hand his authority, namely, the first report of the Commissioners of inquiry into the civil affairs of the Navy, which the right hon. Gentleman said he knew by heart, he boldly stated, that he (Sir James Graham) had not read it correctly to the House. He would, therefore, apply himself, without delay, to the refutation of that charge; and, as the best mode of doing it would be by producing the authority itself, he would read that of Mr. Pepys, as stated in that first report. In that report, the history of our Navy was traced, with great minuteness, from the earliest times down to the present. It was divided into distinct periods, and the third period commenced with the restoration of the Monarchy under Charles 2nd. The report stated that, on the Restoration, the Duke of York was appointed Lord High Admiral, that the Navy Board was dismissed, and that a plan was devised for the restoration of the Navy. He thought that the House would recollect, that the right hon. Gentleman had said, that this report must be inaccurate, as the small memoir of Mr. Pepys on the state of the Navy was the only document of his that was then known to be in existence. But the Commissioners who drew up that report, were as accurate in their statements as the right hon. Gentleman, and perhaps a little more so. For they proceeded as follows: "All the proceedings of the Duke of York in the management of the Navy, either when he was Lord High Admiral, or after he came to the Throne, are minutely detailed in a great number of manuscript volumes in the Pepysian library at Cambridge, of which, thirteen volumes have, at our desire, been sent for our perusal." They then proceeded to state the contents of those volumes. The House would recollect that the right hon. Gentleman had asserted that the Duke of York did not revoke or abolish the powers of the Navy Board.

Well, upon that point too, he would join issue with the right hon. Gentleman. The report proceeded—"The powers which had been granted to the Commissioners of the Admiralty and Navy Board were recalled, and the entire management was put into the hands of the Duke as Lord High Admiral, to whom three new Commissioners were appointed, to act with the Treasurer of the Navy, the Comptroller, the Surveyor, and the Clerk of the Acts, as principal Officers and Commissioners of the Navy." He (Sir James Graham) said, that this was a new Board of Admiralty, constructed by the Lord High Admiral; and he now begged leave to state what the effects of this new management were. They were most satisfactory. "Great progress," said the Report, "was made in the preparation of the fleet, owing to the skilful management of the Duke of York and Mr. Pepys." The Duke then went to take the command of the British fleet during the Dutch war. He controlled the Navy Board; but the same careful management which prevailed while he was present to superintend it, did not prevail during his absence. A sudden change took place for the worse, which, on his resuming his management at home, was instantly checked. The Duke then went abroad again for five years; in his absence, new men were appointed to the Navy Board, without either experience or industry. What was the effect? That all was again supineness at head-quarters, that waste prevailed, and that the Navy became inefficient. At the end of five years, the Duke returned; and, on finding the mismanagement which had taken place in the interval, suspended all the members of the Navy Board, and confined their duties merely to the accounts. He then exercised similar authority to that which he had exercised previously to his leaving England. He appointed new Commissioners, but, in the measures of reform which he recommended the members of the Navy Board were not displaced, they were only directed to confine their attention to matters of account. The report then proceeded to show the effect produced by this concentration of power. "In ten years and a half after the Commissioners were appointed, the King visited the dockyards, and, finding every thing accomplished to his satisfaction, he dissolved the Commission." He contended, that this resolution on the part of the King amounted to a dissolution of the Navy Board. But, to proceed—"He dissolved the Commission with marks of his high approbation, and then restored the management to the regular Boards." That was conclusive proof to his mind, that at that time, the concentration of power was in the single Board over which the Lord High Admiral presided. He thought that he had now exculpated himself from the charge of having misquoted the authority of Mr. Pepys, and of having misrepresented the facts which he had endeavoured to bring under the notice of the House as justificatory of the measure which he now proposed. The right hon. Gentleman had then proceeded to impugn his statement as to the disobedience of the orders of the Board of Admiralty by these subordinate Boards. For proof of that statement, he had relied upon a speech made in that House, on a former evening, by an hon. and gallant Officer whom he saw opposite (Sir Byam Martin), and upon the evidence which he had given before the Finance Committee. He had likewise relied upon the opinions avowed by a gallant Admiral (Sir George Cockburn), opposite who had given testimony before the Finance Committee, which was much less qualified even than those opinions. The gallant Admiral seemed to insinuate, that he (Sir James Graham), had no right to advert to that testimony. Now he maintained, that he was fully justified in alluding to it, for, though that evidence was not printed, it was yet preserved in a form which made it cognizable to every Member of Parliament, and in a place to which every Gentleman who then heard him, could resort at pleasure. The gallant Admiral had said, that one use of these Boards was, to prevent the Board of Admiralty from going too fast; and, in the discussion which took place the last time that this Bill was before the House, he had said, that they were the drag-chain of the Board of Admiralty. That expression was most appropriate, and he thanked the gallant Officer for having used it, though he must observe, that a drag-chain so useless and so expensive, was never before invented. What was the evidence of another hon. Gentleman, who had also occupied a seat at the Board of Admiralty? He had quoted his evidence upon a former occasion, and he would now repeat it. He was asked this question: "Do you conceive, that the Admiralty require to be reinforced by any such authority, or that there does not reside in the council of the Lord High Admiral sufficient authority?" His reply was: "I conceive, in subordinate departments, where parties are very much interested in maintaining an over-establishment, they are always inclined to make resistance against any alterations which are to take away the emoluments of the department. Retrenchment is always ungracious; and it is constantly seen, when there is any great class of reduction effected in any department, that the views advocated by the parties interested against the reduction are very well backed by Members of Parliament and others connected with them. If this Committee think that the Admiralty are right in the general views which they entertain, I have no doubt that their sanction and authority, or their recommendation in favour of the views of the Admiralty, will be extremely useful." On what ground, he would ask, was it that the hon. member for Dumfriesshire thought that the limited intervention of this House would be necessary? He was sure that that hon. Member, from contemplating the resistance of the subordinate orders, knew that it existed, and that it had too often proved successful. No one could concur more strongly than he concurred in the high eulogium which had been passed upon the character of the gallant Officer on the other side of the House (Sir Byam Martin.) He frankly admitted that, in his professional career, that gallant Officer was one of the most able and distinguished characters of which the service could boast, and that in his civil capacity, no man had ever displayed greater industry, greater assiduity, and great integrity. But the gallant Officer had argued as if he (Sir James Graham), in introducing this measure, was not backed by any professional authority. Now, he appealed to the gallant Officer whether there were not in the present Board of Admiralty officers who stood as high in their profession as men could do. He stated unequivocally to the House, that he introduced this measure with the unanimous consent of all his colleagues in the Admiralty, given after they had had fifteen months experience in the toils of office. They were all of opinion that, by the direct control which the proposed plan would give the Admiralty over the Subordinate Departments, its labours would not be increased, but diminished. But, said the right hon. Gentleman, "all this proceeds from the thirst of uncontrolled power, which at present possesses the Board of Admiralty." Here it appeared to him that the right hon. Gentleman, with all his ability, was guilty of some inconsistency; for first he said that the Board of Admiralty was hunting after new powers which it did not at present possess; and then he read the patent by which the different Boards were constituted, clearly and incontestably proving that, in every case where the Board of Admiralty interfered, the sole duty of the other Boards was to obey its orders. What, then, was his objection to the present system? That the Board of Admiralty was not at present always cognizant of the steps taken by the Subordinate Boards, and that it had, therefore, no control over them within such a period as made it a real and efficient control. The right hon. Gentleman had also paid him a compliment, in replying, not to his speech of the other night, but to a speech which he had made in the course of last Session, on what he must still call the misappropriation of the public money. The right hon. Gentleman had adverted to what he had said respecting the opinion of Mr. Hatsell and of Mr. Fox on that point, and had endeavoured to show, that he (Sir J. Graham) must be in error, because, at the time when Mr. Hatsell wrote, the Appropriation Act did not apply to the estimates for the naval force. But the right hon. Gentleman ought not to have forgotten that in the year 1798, the Appropriation Act was extended to those estimates also. He admitted that, in the time of Mr. Hatsell and Mr. Fox, it was neither the law nor the practice to have those estimates strictly appropriated. But since their time the law had been altered, though not the practice. The right hon. Gentleman asserted that the practice never accorded with the law. Why, that was the very charge which he brought against the right hon. Gentleman and his colleagues. He said, that the practice which they had followed was a vicious practice, for which nothing like a satisfactory defence could be offered. "But," continued the right hon. Gentleman, "no loss was ever sustained by this practice." No, but loss might have been sustained by it; and if it had been suffered to continue, loss would have been sustained by it. He must also add, that this practice was gradually increasing.

The right hon. Gentleman had declared that this practice had been sanctioned by the Administration of Earl Spencer, but during the last four years that the colleagues of the right hon. Gentleman were in power, this practice had been carried to a more dangerous extent than it ever had been carried at any previous period. He challenged the right hon. Gentleman to adduce, if he could, any instance in the time of Earl Spencer's naval Administration, in which the estimates sent in by the Subordinate Boards to the Board of Admiralty were greater than the votes submitted by the Board of Admiralty to Parliament. On a former occasion he had stated that there were two cases—the one, a mill at Deptford, and the other a certain tide wall at Woolwich—in which the estimates sent in to the late Board of Admiralty by the Subordinate Boards were each 10,000*l.* less than the estimates subsequently submitted to Parliament by that very same Board of Admiralty. "Then," said the right hon. Gentleman, "whatever be the blame of this misappropriation, it must rest with the Board of Admiralty, which failed to control it, and not with the Subordinate Boards, which perpetrated it." But, in answer to that remark, he (Sir James Graham) must beg leave to state, that it was very difficult to ascertain where the blame ought to rest, for the communications between these Boards were carried on by word of mouth only, and there was very often no trace to be discovered of the authority upon which the Subordinate Boards acted. The evil consequences of this system were so well put by Earl St. Vincent, that he would take the liberty of laying before the House the sentiments which he had expressed upon it in his place in the House of Lords, in the year 1805. Earl St. Vincent said—"With respect to the Ministerial communications between the First Lord of the Admiralty and the Comptroller, it is one of the great vices of the Navy Board, and serves no other purpose but to screen them from all responsibility; for, when called on to account for disobedience to the most positive orders from the Superior Board, the constant reply is, that the Comptroller explained the reason in a Ministerial communication with the late First Lord;"* and he (Sir James Graham) rather suspected that, after the examination of some cases which were then pending was made public, the country would hear a little more than at present of these Ministerial communications with the late First Lord of the Admiralty. The right hon. Gentleman, in speaking of the misappropriation of the public money, had admitted it to be most unconstitutional, to commence any public work without previously submitting the estimate to Parliament. He had previously, however, stated five cases in which this had been done, and, curiously enough, it happened, that four out of the five cases in which the expenditure had commenced before any vote of Parliament was obtained to sanction it, were cases which had occurred in the time of the late Administration. The right hon. Gentleman had also stated, that the surplus of the different grants voted was regularly carried to the general service of the year. He admitted that such was the fact; and it was owing to his having found a very large surplus under the head of "Timber" on coming into office, that he had been enabled to carry on the naval service so long without applying to Parliament for fresh funds. But what was the explanation which the right hon. Gentleman had given respecting the existence of this surplus? Most jejune and unsatisfactory. The right hon. Gentleman said, "Under the head of wages, you will find that a deficiency of money was voted;" but, in reply to this, he was prepared to contend that nothing could be more unconstitutional than the keeping up a larger number of men than that which was voted by Parliament, and paying their wages out of the surplus belonging to other grants. He assured the House that during the last year there had not in any part of the world been one boy borne on the books of the navy more than the maximum for which he had asked wages during the last year. When he came into office, however, he found 1,500 men more employed in the navy than had been voted by Parliament. The right hon. Gentleman had alluded to what he (Sir James Graham) had stated the other night about the store-ledger not having been kept; and he had attempted to explain the matter, by stating that there had been a cessation of keeping abstracts in the outports: but it seemed to him that this was no answer at all, for the regulation with respect to the ledger was for the very purpose of superseding that practice; and, therefore, it was surely a very strange apology for the neglect of the ledger, to say, that both had been allowed to lapse into non-performance. The right hon. Gentleman, however, said, that great progress had taken place in making up the arrear, and that they might shortly expect to hear that the book was completed. He listened with much pleasure to the right hon. Gentleman's intelligence; but he must be allowed to observe that, if such was the case, this extraordinary diligence had only been exercised since he had come into office; and one inference, at all events, was obvious—if it was within the power of the Board to bring up all these arrears without any additional hands, it was quite clear that to suffer the accounts to go into arrear, was neither more nor less than sheer neglect. The right hon. Gentleman had somewhat harshly asserted, that he had misrepresented the orders of the Admiralty, with respect to the diminution of the men in the dock-yards. It appeared, however, by the right hon. Gentleman's statement, that there were two orders issued by the Admiralty—the one in January, and the other in March. He had quoted from the one issued in March, and though he did not happen to have that order with him, as he did not expect that all the details of his former speech would be gone through by the right hon. Gentleman, yet he certainly very well recollected that that order was explicit for the reduction of the number of men to 6,000, on the principle therein laid down; and if he remembered right, the order contained a marginal note, directing that a copy of a certain portion of it should be sent to the out-ports; though the right hon. Gentleman told them, that the whole of it was sent thither by the Navy Board, *verbatim et literatim*. It was not necessary for him to reply any further to the observations which the right hon. Gentleman had made, not only upon the speech which he had made in introducing this measure, but also upon every speech which he had uttered during the last Session upon naval affairs. Passing on, therefore, from these minor topics, he would now proceed to his observations upon the measure itself. He would first remind the House that the most important provision of this Bill was that which vested a complete control in the Board of Admiralty over the Subordinate Officers, and a complete responsibility which did not exist at present, and which he deemed highly necessary. The right hon. Gentleman considered that the total amount of Estimates voted for the naval service of the year was applicable to any particular estimate, and that the money granted was not restricted to the professed purpose for which it was granted. That was a doctrine conformable certainly to the practice, but he looked upon the practice as the primary cause of all the evils which pervaded these departments. In the next place, he would remind the House that this Bill, if the House should sanction it, would convert a nominal into a real and efficient control. He understood that one of the objections taken by the right hon. Gentleman, referred to the power of the Board of Admiralty auditing their own accounts. But, this very principle had been recognized by the right hon. Gentleman, and his colleagues, for when they brought forward their Bill to consolidate the office of Treasurer of the Navy, they introduced a clause therein to this very effect. But he did not intend to leave this part of the question in the way, in which the right hon. Gentleman had assumed. It was his intention to propose to re-enact the audit, which was sanctioned by the Act of the 2nd of William 3rd. As the audit at the end of the year could not be either a perfect or a final audit until all the accounts were furnished, he proposed to keep the account open until all the other accounts were received, even from the most distant parts of the world. He would keep the audit also open until two months after all the accounts were closed with their vouchers; and then the expenditure on each head, whether it be a surplus or a deficiency, was to be fairly stated to Parliament. That was the best answer which could be offered to the objection which the right hon. Gentleman had urged against the measure which he had introduced, for it proved the utter absurdity of his having introduced it with a view of getting irresponsible power to that department over which he presided. The right hon. Gentleman expressed some fear that the Bill would degrade the Admiralty Board to an Accountant Board. But the fact was, that the Navy Board was not at present an Accountant Board, nor was the Accountant General of the Navy a money Accountant. The only money Accountant was the Treasurer of the Navy, whose office and duties would still remain. Not one of the least recommendations in his estimation of the measure itself was, the arrangement by which the officers to constitute the Board would hold their appointments, not by patent but by warrant, and greater facilities would be thus afforded for their removal. While so far as the discharge of their duties authorized it, the same persons would continue in employment. But then, the right hon. Gentleman contended, that the Admiralty had already sufficient employment; he allowed this, but then, a large part of their present occupation arose from the confusion produced by the erratic motions of the Navy and Victualling Boards, and he accordingly expected that when this source of employment was cut off (for the present arrangement seemed to provide, that the various Boards should make work for each other), that the Admiralty would have sufficient time to attend to the increase of duty that would be thrown on them by this plan. But, the right hon. Gentleman had admitted that the proposed arrangement was not objectionable except that he wished the five officers who were to preside over the various departments should be in themselves a Board. But, such a plan would retain a considerable portion of the vice of the present system, and would open the door for an insufficiency of control on the part of the Admiralty. It would be the shadow of the plan he advocated, but, the substance would partake too much of the old arrangements. The right hon. Gentleman, with great pathos, had asked, what was to become of the Secretary to the Admiralty? He begged to assure the right hon. Gentleman, that he had submitted his plan to Mr. Barrow, one of the present Secretaries, whose experience was at least as great as that of the right hon. Gentleman, and from him he (Sir J. Graham) had received every assistance, though he differed from him in politics, for the promotion of the welfare and interests of the service over which he had the honour to hold the guardianship, that gentleman had, with perfect consistency, maintained his political sentiments, and had given him (Sir J. Graham) that assistance which he felt proud to avow, and should ever remember with the most grateful feelings; Mr. Barrow not only thought this measure practical, but salutary, and that it would have the effect of correcting many of those grievances, which he well knew had existed. By the opinion of Mr. Barrow, he felt fortified in the strong sentiment he entertained in favour of this measure, and in that sentiment he was also supported by the present Board of Admiralty, which, he trusted he might say, contained as much naval knowledge as any previous Board. He had no personal interest in the change, he gained no advantage or patronage by the measure; indeed, he sought none; but he implored the House, for the sake of the service over which he had the honour to preside—he entreated the House, for the sake of that service, to allow the Bill to be read a second time.

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* Hansard's Parl. Debates, vol. v. p. 98.

Mr. *Keith Douglas* rose for the purpose of pointing out to the House the extreme inconvenience which would result to the public service, in case the changes contemplated by the present Bill were to be carried into effect; the duties of the three Boards were totally incompatible with each other, and it was alogether impossible for them to be executed by one Board. The Bill proposed to vest in the members of the Board of Admiralty the powers now intrusted to the Navy and Victualling Boards, comprising many duties of detail: they were to have the superintendence of all the dock-yards of the building, repairing, furnishing and victualling of ships. For the future, all contracts for the supply of the Navy were to be effected by the Admiralty Board; but when the extent of those contracts was reflected on, and how complicated and how multifarious they were, he must confess that he looked at any such proposition as that of confiding them to the Board of Admiralty to be totally impracticable, and likely to produce the worst results. In addition to these duties, those of the Treasurer of the Navy were to be vested in the Board of Admiralty, as well as the examination of all vouchers and accounts, with the control of Greenwich Hospital, and of the multiplicity of prize accounts connected with that establishment. Such commercial duties were incompatible with the proper functions of the Admiralty Board. The principal object contemplated in instituting that Board was, to have an efficient controlling power connected with the Ministry over the whole of the naval service, so as to render it effective in all its branches, and easily applicable to any service, the political situation of the country might require. With these duties to perform, and, in addition, being burthened with those of the Secretary, and of the subordinate department of the Secretary's office, he was of opinion that the Board of Admiralty would speedily find itself overwhelmed with a mass of business, altogether out of its power to get through. Although there might result to the country, by the right hon. Baronet's plan, a saving of from 2,000*l.* to 3,000*l.* a-year in these reductions, yet there would also be this result, that the duties which were now most efficiently performed would be altogether neglected, to the great detriment of the public service, and to the injury of the community at large.

Sir *Byam Martin* had listened with great attention and with the highest satisfaction to the clear, able, and unanswerable speech of his right hon. friend, the late Secretary to the Admiralty. That it was unanswerable was proved by the laboured and unsuccessful effort of the right hon. Baronet opposite. As his right hon. friend had so completely vindicated the Navy Board from the charges of the First Lord of the Admiralty, it would not be necessary for him, though he had had the honour of presiding over the Board, and was, perhaps, the person most implicated by the right hon. Baronet's remarks, to add one word in its defence. On a previous evening he had ventured to state, that there was not one word of the right hon. Baronet's representations which was not founded in error. That he had sufficient grounds for making that assertion he would establish by papers, for which he had intended to move on that evening; but not having had an opportunity of speaking to the right hon. Baronet until too late for their production so as to be made use of that evening, he postponed his Motion to some future occasion. Those papers would show, that from beginning to end the statements of the right hon. Baronet were founded in error. As his right hon. friend (Mr. Croker) had sufficiently vindicated the Boards from the aspersions which had been cast upon them, he would not now detain the House by adverting to those aspersions, but would go at once to the provisions of the Bill; and, first of all, to the persons who were in future to do the duty of those Boards. The office of Surveyor of the Navy, hitherto so efficiently filled by Sir Robert Seppings, was to be given to an unprofessional man, who knew nothing about the business. He (Sir B. Martin) had a high opinion of Captain Symonds as an able seaman, and as good an officer as ever walked the quarter deck of a British ship; but although that gentleman was capable of producing the form of a vessel admirably calculated for fast sailing, as had been done by several other persons, for he himself had commanded a very fine frigate, the outlines of whose form had been drawn by a watchmaker, yet he had no doubt, that Captain Symonds would himself allow that he new nothing of the business of a practical shipwright. That officer, therefore, was by no means a proper person to supply the place of his distinguished predecessor, and most likely, on being appointed, would, in the frankness of his disposition, declare, he knew nothing about the duties of his office. If he were told that this gentleman might, under such circumstances, refer to the Admiralty for instructions, he would just ask the House to consider the time which would be lost in such communications, independent of there being no person qualified to instruct him at the Admiralty. It was quite impossible, he apprehended, that the right hon. Baronet could be serious in proposing to make such an appointment. The right hon. Baronet had said, that five persons were to do the business which was now transacted by the Accountant General, the Surveyor of the Navy, and the Navy, Victualling and Transport Boards. He was sure the House would remember that it was a very different thing when individuals acted for themselves, and when they were enabled to have recourse to a Board for advice and assistance. In the absence of a Board, the responsibility must be left to the Clerks in the office, for the existing responsibility would be entirely removed. If the right hon. Baronet's plan was carried into execution, the first step must be, to bring all the departments of the Navy under the same roof. If this was not done, it would be utterly impossible to conduct the public business. His right hon. friend stated, very truly, that, in order to keep up the ledger which the right hon. Baronet said ought to have been kept up, for the purpose of correcting fraud, though he believed it would never answer such a purpose, no less than 158,000 documents must be entered in the course of a year; and, in war time, according to his calculation, there would be no less than 3,000,000 of documents sent to the office for this one purpose, and on this one subject. The right hon. Baronet then went on to say, that, in the new arrangement it should be enacted, that all applications and notices for all prizes and other receipts and accounts, and all books, documents, and papers which were, by any previous Act of Parliament, required to be made, given, and transmitted to the Commissioners of the Navy, shall be made, given, and transmitted to the Secretary of the Admiralty. If, to the 158,000 documents he had already mentioned were added all these accounts, receipts, books, and documents, they would amount to such a number, that a van would be required to travel between the Navy Board and the Admiralty, for the purpose of transmitting them from one office to another. The Admiralty were to have all these documents first transmitted to them, but it was utterly impossible, however, that they could use them—they must send them to the Navy office before they did. To give an idea of the magnitude of the correspondence, he would merely state to the House that the postage had amounted to no less a sum than 460*l.* in one day. It was so obviously impracticable that the plan of the right hon. Baronet could be carried into effect, unless he would consent to transplant himself to Somerset place, that he was perfectly sure the public business could not possibly be carried on under the proposed arrangement. With regard to the office of Surveyor of the Navy, if the right hon. Baronet appointed Captain Symonds to the situation, he would commit an act of the most gross injustice against some of the most intelligent, able, and respectable master-shipwrights that this kingdom ever produced. Being now, at the head of their business in the dock yards, they had an absolute right to look for promotion to that office, and they were now to be superseded by the appointment of a person who had not been at the expense and labour of preparing himself as they had prepared themselves, for the arduous duties, which required ,not only the highest scientific attainments, but also practical knowledge, which could only be attained by constant practice in the laborious and difficult art to which they had devoted themselves. This was not all, however; for if the proposed arrangement was carried into effect, the right hon. Baronet would make his Majesty depart from his Order in Council, and break his faith with the students, who, under that order, were invited to enter into the service upon a positive pledge that they alone should be advanced to the superior stations; and the office of the Surveyor of the Navy was particularly held up as an object to stimulate their ambition. It was a most extraordinary proceeding to set aside persons who had been educated expressly for the purpose by the public, and selected for their abilities, and who to theoretical knowledge added practical experience, for the purpose of promoting a man who was a stranger to these duties. He had received letters from those gentlemen, saying it was impossible they could remain in the public service under such circumstances, if by any other means they could get a living. To return to the plan of the right hon. Baronet, in addition to the multiplicity of documents he had already stated, many others would be found in numbers quite inconceivable; and how the business was to be carried on with "unity and simplicity" which the hon. Baronet held to be the very essence of business, when the documents necessary for one department were only to be found at another part of the town, he could not imagine, for he declared he could conceive nothing more completely at variance with every known principle of unity and simplicity than this Bill. He had no doubt, however, that the hon. member for Middlesex would support the measure on the ground of economy, without considering what was likely to be its ultimate results. With respect to the reductions at the Navy Office, he begged to assure the House, that he had no feeling of prejudice or partiality whatever in favour of that establishment; indeed, he wished to see some alterations made in that department; but he thought that if the right hon. Baronet would agree to the suggestion of his right hon. and gallant friend—to unite the Navy and Victualling Boards—he would accomplish an equal saving, without embarrassing the service by the introduction of machinery which would stop in time of war. As to the dock-yards, that part of the subject was of great interest and importance. The right hon. Baronet made it a boast, that if he were allowed to carry his new Bill into execution, he would make reductions in a great variety of establishments, to the amount of about 49,000*l*, a-year, and that he would, in time, bring the number of men employed down to about 6,000. He, therefore, concluded that he proposed to discharge about 1,100 or 1,200 men, and he must be permitted to say, that a reduction of some 49,000*l.* would be very dearly purchased, by exposing to want and starvation a large number of industrious men. He would venture to say, that he could show to the House how as great a saving could be effected, without the discharge of a single man—retaining in the service men who would be ready in case of war to assist in the equipping a fleet with that energy and despatch to which they had been accustomed; but if these reductions in the docky-ards were carried into effect, the whole machinery of the civil service would be so grossly deficient, that he would venture to say, no man would be able to conduct the service in war time. The right hon. Baronet proposed to discharge a number of shipwrights: they were a most valuable body of men, and he regretted to say their number was very considerably decreasing throughout the kingdom. He knew it was a very common thing for some gentlemen to say, "You have ships enough, what do you want with more." He had said in this House, on a former occasion, and he now repeated, that at no period of the naval history of this country had we ever so fine a fleet as at this moment. His advice to the right hon. Baronet was, take care and keep it so. Although our vessels were in an admirable condition, yet many of them were old; and unless they went on with a succession of repairs and buildings, the fleet would go to decay, and, in the event of a war our means of defence would not be proportionate to our wants.

Sir *George Clerk* trusted the House would bear with him for a short time. He was well aware how difficult it was to fix the attention of Gentlemen upon a subject which did not interest them particularly, but, before he proceeded any further, he would say, that he was perfectly satisfied that both the right hon. Gentlemen who had spoken to-night, had been actuated by the same feeling of zeal for the welfare of the naval service, and by a similar anxiety to place every department connected with it on an efficient footing. The right hon. Baronet complained that his right hon. friend made an answer to-night to his speech of a former night. The right hon. Baronet ought to have recollected that, in consequence of the extreme lateness of the hour when the right hon. Baronet had concluded his statement, his right hon. friend contented himself, on that occasion, with merely entering his protest against the right hon. Baronet's plan, reserving to himself another opportunity of proving its inaccuracy; and he might appeal to the Gentlemen now in the House, who had the good fortune to hear his right hon. friend, whether he had not fully redeemed the pledge he then gave. The right hon. Baronet complained that his right hon. friend had made remarks, not only on his speech of the other night, but on every speech he made last Session; but for this, he had himself alone to blame, as, in every speech he had made on naval questions, the largest part of his statement had been occupied by a detail of what he called the misappropriation of the public money, in applying the surplus of some grants to make good the deficiencies of others. The right hon. baronet, on a former night, gave the House some historical information with respect to the abolition of the subordinate Navy Boards by James Duke of York, which he quoted on the authority of the "Memoirs of Mr. Pepys." But when his right hon. friend inquired from what part of that authority such information was derived, the right hon. Baronet said, it "was not from the works of Mr. Pepys, but from the report of the Commissioners made in the year 1809, containing a statement of certain inquiries into the affairs of the Navy that took place between the years 1660 and 1670." He was perfectly sure the right hon. Baronet had no intention to mislead the House, but certainly he had entirely mistaken the meaning of the passages which he had referred to. If the right hon. Baronet had taken the pains to look into the authorities on the subject, he would have found that there was no ground whatever for the supposition, that, during a part of the reign of Charles 2nd, the Navy Board was abolished, and that, under an arrangement made at the time the Duke of York was Lord High Admiral, the concerns of the Navy were conducted in a most efficient and proper manner, while the Subordinate Boards were abolished; that when they were re-appointed, abuses again arose; and that when they were once more abolished, the system again improved. Now, he must declare, that the whole of that statement was altogether founded in error. The Navy Board never was abolished subsequent to the restoration of Charles 2nd, and the appointment of the Duke of York as Lord High Admiral. It was true, that the grossest abuses prevailed in the naval departments; and that, in 1668, one of the Commissioners was impeached for gross misconduct. The Duke of York, however, did not abolish the Board; he merely appointed a number of Commissioners to inquire into the abuses which prevailed. Commissioners had been from time to time appointed to inquire into the whole of the civil affairs of the Navy; but was it ever before conceived that such appointments superseded and set aside the Navy Board. The House had some reason to complain, that the right hon. Baronet did not look into historical authorities, before he had on the strength of this misunderstanding, recommended his colleagues, and advised his Majesty to abolish the Navy and Victualling Boards; supposing they had been temporarily and successfully abolished in the time of Charles 2nd. To prove this was an erroneous statement, he would only quote a very short paragraph from the report of certain Commissioners, whose opinions, some short time since, would have had very great weight with hon. Gentlemen on the opposite side of the House. There was a Commission appointed in 1785, to inquire into the state of the Navy Office, and not being Antiquarians, they did not search into manuscripts at Cambridge, they merely looked into the records of the Navy Office itself, which presented a continuous statement from the year 1660 downwards. There was no regular record until after the Restoration. The Commissioners stated, "that, on the restoration of King Charles 2nd, his Majesty constituted a Navy Board under the Great Seal, consisting of a Treasurer, Surveyor, Comptroller, and Clerk of the Navy, who were styled the principal officers, to which number, on the 4th of July, 1660, three Commissioners were added. In January, 1661, the Duke of York, then Lord High Admiral, established certain instructions, which were now in use for the conduct of the four principal officers; the other three being Commissioners at large had no particular line of duty assigned to them until 1666, when they were directed to take upon themselves so much of the Comptroller's line of duty as related to the inspection of the Treasurer's accounts: and, in the year 1671, the examination of the Comptroller and Storekeeper's accounts were assigned to them, which, with the addition of one Commissioner at large, is the present arrangement of the Navy Board." It would appear, therefore, that the constitution of that Board, was not such as the right hon. Baronet stated; and if he would follow the detail of the alterations which took place in 1660, 1661, 1666, and 1671, he would see that the Navy Board continued during the whole of that time an independent Board, discharging not only the proper duties of the Navy Board, but also of the Victualling Board. In consequence of the increasing demands of the service, the Victualling Board was created in 1783, and it had continued up to the present moment. It appeared, therefore, that both the statements which the right hon. Baronet had adduced as the ground-work of the greatest change that had ever been attempted to be introduced into the naval administration of this country, since the days of James, Duke of York, entirely broke down. He was perfectly ready to admit that this would have been the strongest argument that could have been adduced in favour of the experiment which was now proposed, had it been founded in fact; but it was not, and, therefore, it only remained for the House to look to the other grounds on which the right hon. Baronet urged the necessity of this measure, to see if upon them he could make out a case. The next point, then, was, the misappropriation of some of the votes of that House. The right hon. Baronet stated, on a former occasion, that a change in the principle of the appropriation of naval monies was introduced by the Bill of 1798, and that it was the intention of those who brought that measure forward, that all the votes granted by that House should be strictly applied to the very purposes for which they were originally designed. But the House must bear in mind, that, up to the year 1821, the whole of the money granted on account of the naval service was voted in three large items. Since that period, the votes had been subdivided, and each head of service voted separately—a course of proceeding which, though it afforded great facility for the strict examination of the Estimates by the House, greatly increased the difficulty, and rendered it impracticable to keep the expenditure under every head within the sum voted. The only mode in which it could be accomplished was that to which the right hon. Baronet himself resorted in a former year, namely, calling on the Committee to vote a much larger sum under each head than was actually required. Under the present deficient revenue of the country, the noble Lord, the Chancellor of the Exchequer could hardly allow the right hon. Baronet to make such demands, and, therefore, it was his object to cut down the establishments as much as possible. The right hon. Baronet, had, accordingly endeavoured to diminish their extent, and, by such means, he (Sir G. Clerk) feared had impaired their efficiency, so much so, that he would even this year experience great difficulty in acting up to the rule he had laid down. The right hon. Baronet had confined his objections with respect to the excess of expenditure beyond the votes of Parliament, to within the last four years. He would beg to state to the House, that the peculiar political circumstances of the country during that period, rendered it extremely difficult to frame a Navy Estimate with that degree of accuracy which would have been possible under other circumstances, especially as regarded the number of men to be employed. The right hon. Baronet said, it was most unconstitutional that a greater number of seamen should be employed than was sanctioned by Parliament. In opposition to the right hon. Baronet, however, he must state, that there was nothing unconstitutional in increasing the naval force of the country, if, after the Estimates were passed, that was found necessary, provided there were funds to meet that increased expense, and the fact was stated to Parliament. The right hon. Baronet alluded to the Finance Committee: if he would refer to the evidence of his right hon. friend, the late Comptroller of the Navy, he would find he explained the necessity of keeping up a large navy, and he said that, when the number of men had necessarily exceeded the number voted, the heads of the different departments had been obliged to refrain from the purchase of stores, for the purpose of paying them. He had, in 1829, made a similar statement. In the year 1830, he stated, that it was intended to retain 29,000 men, but that, in fact, 32,000 were employed chiefly on foreign stations, but that orders had been sent out to recall them, and it was hoped, in the course of the year, to reduce the number to 29,000. Political occurrences in the east of Europe, however, prevented their being recalled, and, at the end of the year 1830, at the period of the accession of the right hon. Baronet to office, those vessels were only then on their voyage home. The right hon. Baronet had taken great credit to himself for having reduced the number of men employed below the amount sanctioned by Parliament. In the first place, in the month of February, he obtained a vote for 32,000 men—a number greater than was actually employed at that period; and, in the course of the next month a measure was resorted to, the policy of which he very much doubted, by which the calls on the naval service was considerably reduced—he alluded to the reduction of the whole of the Coast Blockade, consisting of 2,700 men. In the next argument of the right hon. Baronet, he quoted a very high authority in the opinion expressed by the late Lord St. Vincent, in the year 1805; he stated that Lord St. Vincent condemned the practice of verbal orders being given, as was the rule, by the First Lord of the Admiralty to the Comptroller of the Navy. He, (Sir George Clerk) on the other hand was of opinion, that this was a most useful proceeding. It would be in time of war impossible to carry on the service beneficially if all the communications between these two officers were to go through the hands of Secretaries and clerks, they being of the most confidential nature, and concealed at the moment, sometimes even from the colleagues of the First Lord of the Admiralty. Lord St. Vincent, also, it was said objected to the constitution of the Committees of the Navy Board as they then existed. He agreed with him in that opinion; but the proposed Bill was not calculated to remove the evil. He wished instead of that crude plan the right hon. Baronet had adopted the suggestion of his gallant friend (Sir George Cockburn), and consolidated the Navy and Victualling Boards into one, in lieu of attempting to incorporate them both with the Admiralty. He admitted, that when he was examined before the Finance Committee, he had stated objections to such a consolidation as these Boards were then constituted, but the abolition of the Committees, and the plan of assigning specific duties to each individual Commissioner had removed many of his objections; and he would candidly state to the right hon. Baronet, that, as he had in his opinion, in great measure, destroyed the efficiency of the Victualling Board as a separate establishment, by moving from it last year the only naval officer belonging to it, he now saw no difficulty or objection in uniting these two Boards, a plan which he should greatly prefer to their entire abolition. The right hon. Baronet complained of the disposition of the Navy Board to thwart the Admiralty, and he particularly instanced their supposed disposition with regard to the reduction of the number of men employed in the dock-yards, but it must be recollected, that the Navy Board had some discretion upon the subject: they were not told to proceed at once to reduce a certain number of men, because a Representation had been previously made, not from the Navy Board, but from persons connected with the dock-yards, with regard to the hardships which would be entailed upon individuals, if a sudden reduction were to take place at Portsmouth and Plymouth; and the consequence was, that the men were deprived of certain advantages, and it was arranged that the reduction should proceed gradually, as casualties might arise. He contended, therefore, that instead of disobeying the Navy Board acted in strict conformity with the spirit and letter of the instructions received from the Admiralty. But whether the Navy Board had, or had not, occasionally resisted the orders of the Admiralty, whether more money had or had not, been spent on particular heads of the service than was voted by Parliament, still they must come back to the plain question—would this Bill remedy those evils. He would put the question upon this simple footing—did any hon. Member in that House expect, that the Bill would remedy the inconveniencies which the right hon. Baronet had made a subject of complaint—no, nor any portion of them, worth the increased trouble which its provisions would introduce. In his opinion, not one of the real inconveniencies of the service would be removed. There could be no doubt, that the Admiralty would be thereby relieved of a certain degree of restraint, and invested with a certain degree of increased power; but he was by no means sure that that was a change likely to be attended with beneficial results. If experience had shown to them that the Board of Admiralty had at all times proved itself the most economical, and the Navy Board the most extravagant, then, perhaps, there might be something in the argument and plans of the right hon. Baronet. The contrary, however, was, in most instances, the more likely to be the result—because it was the general habit of the Navy Board to take upon itself the charge of checking the Admiralty Board, especially in those points which regarded the expenditure of Naval stores in the equipment and decoration of vessels—the officers being appointed to those ships by friends of theirs at the Admiralty Board—who, of course, would be disposed to acquiesce in the Representations made of the necessity of such expenditure by those in whom they took an interest. It was his apprehension, therefore, that, when the Board of Admiralty came to be invested with increased power, they would deal more freely with the public money than if every one of their plans were to undergo the strict examination of the Navy Board. He felt much disappointed that the right hon. Baronet, in bringing forward his plan, did not take the trouble of entering somewhat into detail; the right hon. Baronet had only, he might say, favoured them with one proof of the alleged superiority of the proposed new plan, and that was, that it would afford them the chance of an improved audit. He doubted whether such a result could be accomplished; and, even if it were, he feared that it would yield but small advantage, compared with the many inconveniencies incident to the Bill. One of the effects of the new system would be, that the House of Commons could not come to the discussion of the Navy Estimates with anything approaching the facility with which they had hitherto performed that duty; for this reason, amongst others—that whereas, in the present year, for example, they had the Estimates for 1832 before them, and they could compare those Estimates with the actual expenditure of the year 1831; but, under the new system they would enjoy no such advantage—four months at least must elapse before the accounts could be made up. In every new light in which he viewed the subject, he found nothing but objections to the plan. From the mode in which the new officers were to be appointed—namely, at the pleasure and at the will of the Admiralty, and not by patent, as was the Navy Board, it was clear that they would be liable to be displaced, with a new Administration; and so far the advantage, which it was said these appointments would have over those of a similar kind in the Ordnance department vanished and disappeared, for whatever might be the experience or the services of these officers, on a change of the

Ministry they were liable to be displaced. What then became of all the arguments urged by the right hon. Baronet in favour of his plan founded upon assimilating his measure to that adopted in the several departments of the Ordnance, where the head of each was rendered responsible for the conduct of the officers under them? He put it strongly to the good sense of the House, whether they ought to decide merely upon the presumed economy of the plan of the right hon. Baronet in a case involving such vital and important interests and results as the conduct of the naval force of this country? The interests of this great branch of the public service were concerned, and it would behove the House to examine well whether the correspondence of these departments could, by possibility, be kept up by the mode proposed—namely, by one officer, and whether the public service would not be thereby materially impaired? He could not well see how the House could complain of the efficiency of a system which, under Mr. Canning's Administration, had furnished to that Minister's demand a fleet of twelve sail, perfectly manned and equipped (though in a time of peace), which was on its way down channel to the Tagus within three days after the order for its equipment was issued by that Minister. He feared sufficient care had not been taken to make, under the Bill, a proper and judicious subdivision of labour in those offices, which was always of so much importance in cases where rapid, and particularly where secret, naval expeditions were necessary to be equipped; and he could not but think there was a strong probability that, in case of a war, the time might arrive when even the right hon. Baronet himself might have too solid reasons to regret, as well as the public, that a system so long safely and successfully acted upon, should have been suffered to be superseded by another so novel, so wild, and, in his opinion, so impracticable.

Sir *George Cockburn* said, that he entertained strong objections to the Bill, first, because he foresaw that it would repose in the hands of the five subordinate officers of the several departments the total management and direction of the naval services, and the control of the public money voted for that service—and secondly, because he could not perceive that the Bill provided any efficient means of rendering these subordinate persons subject to a proper responsibility. Nothing, he was satisfied, was so effectual in public offices in this way, as saddling the principal officers with the responsibility of the conduct of those particular departments over which they severally presided. This had been the peculiar and distinguishing feature of that Board—the Ordnance—to which the right hon. Baronet affected an anxiety in his opening speech on this subject, to assimilate the Admiralty Boards. With reference to the responsibility of the five officers alluded to, not only was there no adequate provision in the Bill to secure that, but none of them was even named except the Accountant General. If there were any semblance of responsibility, it must be considered merely a nominal and not a real responsibility. Hence he inferred it was impossible this Bill, as at present constituted, could work well. He, however, should not oppose its being read a second time, because he hoped the right hon. Baronet would in the Committee listen to those suggestions which practical men would supply him with, in order to guard against the possibility, or rather great probability, of the officers, under this Bill, being obliged, in their attempts, to accomplish more than was fairly in men's power, to neglect their duty in their separate departments. He was persuaded that it would be impossible for the Lords of the Admiralty to give their efficient attention to details respecting contracts, stores, and transports, as well as attend to their own duty, and he, therefore, could not do otherwise than conclude that the right hon. Baronet would be completely disappointed in the expectations he had formed.

Mr. *Hume* was convinced that much gratitude was due to the right hon. Baronet for the attempt which he had by this Bill made, to reduce the department of the navy to order and efficiency. The principal part of the debate for the last two hours and a-half, had consisted of the defence of the conduct of the late Naval Administration; and of it no one would be much enamoured, since it consisted, to say the best of it, only of admissions and details of abuses practised in these departments, and well and generally known by all parties. Now, these were precisely the reasons why he should support the Bill. The last hon. and gallant speaker had fairly met the question by putting it to the House, whether the late Boards had answered those purposes well for which they were instituted? He would answer "No." The Navy Board had been well described by one of its advocates as being a drag-chain on the Board of Admiralty. As to the first objection made to the Board of Admiralty under this Bill, he would reply at once, that he did not think, as it was the great and controlling Board, that it could have too much power over its subordinates. Then, as to responsibility, did not the Bill afford a better chance of rendering its higher officers responsible than the present system, which allowed the Navy Board to issue its orders for an immense expenditure, and afterwards to audit its own accounts? The Bill proceeded on much better and safer grounds, by providing that one set of officers should issue the orders, and another examine and control the accounts. If there were, on the head of responsibility, objections entertained as to the Bill before them, those objections applied in a tenfold degree to such a system as prevailed at the Navy Board at this day. He would not contend that the system proposed was perfect. He must be a bold man who would hazard any such assertion of an experiment; but he hoped that, with the assistance of practical men on both sides of the House, the Bill would effect a considerable improvement of our naval system; and he further trusted that, from the aspect of everything abroad, the period during which we might expect peace would be so long, that all the parts of these valuable improvements would have time to be matured, that the alteration would, as a whole, be hailed by the whole service and the nation as an important Reform in this branch of our national force.

Mr. *Hunt* said, that, the right hon. Baronet had talked of a saving of 40,000*l.* or 50,000*l.*, by this measure; he wished to know whether any part of this was taken up for the superannuations; because, if 1,000 shipwrights were to be discharged, and the officers to be pensioned off, there might be little or no saving. When he had heard the right hon. Baronet the other night, he thought he had poured a broadside into the late Administration; but the late Secretary to-night had returned the broadside, and he (Mr. Hunt) thought had wrecked the hon. Baronet. The late Secretary had completely answered the right hon. Baronet, and proved that the system had always been the same, and had continued till the last month.

Sir *James Graham*, in explanation, observed, that he had said, or intended to say, that, independently of the measures which this Bill would carry into effect, he had, by other economical arrangements, effected a saving of 49,000*l.* With respect to superannuations, the persons removed were entitled by law to superannuation; but he should consider it his duty to bring under the consideration of the Committee the scale of remuneration.

Mr. *Croker* thought it unnecessary to take the sense of the House on this occasion, but he should deem it his duty to do so on the third reading, unless there were material alterations made in the Bill in Committee.

Bill read a second time.

ANATOMY BILL.] Mr. Warburton moved the Order of the Day that the further consideration of the Report of the Committee upon the Anatomy Bill be read.

Mr. *Hunt* objected to the Bill going through any progress at that late hour of the night (half-past eleven), especially as many Members had left the House upon the understanding that the further consideration of the Report would be postponed in the event of its not being brought forward at an earlier hour of the evening.

Mr. *Wason* supported the Motion for then proceeding.

Sir *Robert Inglis* wished to remind the House, that the important subject of the Bill had been discussed in Parliament several years ago, and it had then been observed that no Member, except he were the organ of Government, could be able to bring forward the discussion at a period sufficiently early to ensure an adequate consideration of the details of the Bill. It was evident to all persons, that some provision ought to be made by law for the interests of this branch of science. It had been argued that the anatomy of inferior animals, or that a model of the human frame would afford sufficient means of studying the anatomy of man; but he believed that no practical anatomist or experienced surgeon would support such an opinion. No study from a model could be progressive; and, in practical surgery, it was necessary that the operator should be able to estimate the resistance afforded by human flesh. Out of twenty-two medical men who had been examined upon the subject, eighteen had concurred in the testimony that the art of surgery could not be acquired without the study of anatomy by dissection. Notwithstanding the legal difficulties of procuring bodies for this dissection, the law imposed heavy penalties upon surgeons for the want of professional skill; and only a few days ago an action of this description was reported in the newspapers. While the by-laws of the College of Surgeons required that experiments should be made upon the human body, the subject to be operated upon must be obtained surreptitiously and fraudulently, and in violation of the law of the land. The question then resolved itself into whether the study of surgery and anatomy should be pursued in England, or whether surgeons should be obliged to resort to foreign countries, in order to acquire their professional education. This was a point of all others which concerned the poor, for the rich alone would be able to procure the proper treatment of their disorders, if scientific education were to be made expensive and of difficult attainment. He would wish to dissociate in the public mind the idea of dissection and disgrace, and for this reason he would exclude from dissection the bodies of murderers and of suicides. Above all things he would keep from dissection the bodies of those who died in hospitals, for it was essential that those whose duty it was to cure should have no interest to kill. He would wish to save the dying man from the slightest suspicion that the doctor had any interest in his death. How, then, were subjects for dissection to be procured? He objected to any open sale—to any market of human flesh. He would proceed to say who, in his opinion, ought to be dissected? First, all who chose to leave their bodies for dissection, or who chose to sell their bodies during their lives, securing to them the right of pre-emption in the re-purchase of their bodies on paying due interest; then all who died in workhouses, and who were unclaimed by their friends, or whose friends had not expressed a dislike to their being dissected. This latter would afford a large supply of bodies; and if bodies were necessary at all, a large number was necessary. He would not connect the idea of dissection with poverty, and, therefore, it was his object that paupers dying in workhouses should not be given up for dissection, if they had expressed any repugnance to this disposal of their bodies. He would also provide that the body, after dissection, should receive the rites of Christian burial. The number of surgical pupils in London was 700, and the number of Anatomical Schools was twelve. The demand for subjects for dissection would not exceed 1,100 per annum. In the parish of St. Giles, in one year, 599 paupers had been buried out of the parochial funds, whilst in that of Marylebone, within the same period, the number had been 606. The total number per annum in all the parishes of London might be taken at 5,204, and, if only one-third of these paupers died without expressing any repugnance to having their bodies dissected, the schools of the metropolis would be sufficiently supplied. The friends and relations of the deceased ought likewise to have the right of claiming the bodies of the dead. It was clear that this or some similar Bill was absolutely necessary, in order to prevent a repetition of those scenes which the public had witnessed with horror during the last three years.

Mr. *Rigby Wason* presumed the hon. Member who brought in the Bill, proposed by its means to prevent the horrible crime of Burking, and the disgraceful practice of exhumation, on the one hand; and to provide subjects for anatomical dissection, on the other. The great difficulty of attaining the latter was, the desire of almost all classes of people to pay proper respect to the remains of their deceased friends. This was said to be a prejudice; but, he believed, the repugnance to dissection was connected with the kindliest feelings of human nature. He would very readily allow that it was necessary that surgeons should have the means of attaining a scientific education, and the greater facilities were afforded for this, the more advantageous it would be for society in general; but he did not think that the Bill now before the House was calculated to effect the objects proposed. To most of the clauses he had strong objections. He held it to be a bad principle to permit, under any circumstances, the sale of dead bodies, because such a practice was calculated to produce excitement in the public mind, from the facility by which murder might be concealed, in some cases, by the sale of the body. Again, the powers given by the Bill were greater than the subject required: the governors of work-houses, hospitals, and of every institution for the relief of suffering humanity—the keepers of gaols—even landlords, whose lodgers might die—were authorised to dispose of all bodies, unless claimed by relatives. The hon. member for Oxford had clearly shown, that, from one source alone, a sufficient supply of subjects could be had: therefore, that should be taken under express legislative provisions; and all other sources of supply be prohibited. But there was one provision in this Bill, so extraordinary, that it had only to be mentioned to excite attention. The object being to prevent surgeons obtaining subjects in an improper manner, it was provided, that he who attended, or professed so to do, a deceased person, and who wanted a subject, might give himself a certificate that all was right. Again, inspectors were to be appointed to examine all bodies previous to dissection, and their number was to be limited to three. Dissection must, therefore, either be confined to some local districts, or some other regulation must be made by an increase of inspectors, if their duty was to be performed efficiently, or their office be considered a safeguard to the public, to prevent subjects being obtained surreptitiously. He considered it would be an improvement in the Bill, if certain places were licensed by Government, in which only dissection could be practised; and that the supply of subjects should be limited to those persons dying in work-houses—a register being kept in them of all bodies sent out, and another kept in those places where dissection was permitted, which should also be open for inspection by Magistrates. This would prevent abuses, be much more simple than the hon. Member's plan, and infinitely more economical. All these ends might be obtained, by an enactment embracing the following heads:

1. Anatomical schools to be licensed.
2. Teachers, possessing only certain qualifications, to be licensed.
3. Registry of all bodies brought in: false registry, or non-registry, to subject the parties to fine and imprisonment.
4. Work-houses to keep similar registers.
5. No bodies to be sent to the schools, if objected to by certain relatives.
6. No prosecution on this subject, unless instituted by the Attorney General within six months.
7. Murderers' bodies not to be dissected.

He should propose these as amendments to the Bill to be adopted, in the most convenient manner to facilitate its progress; as he considered it necessary to legislate on the subject, and to do so with as little shock as the subject would admit of to the feelings of the people.

Sir *Frederick Trench* thought that a great majority of the clauses would prove nugatory, and would not give the facility intended by the hon. member for Bridport; indeed, he was inclined to look upon the Bill as an additional stimulus to Burking. Instead of the Bill being entitled what it was, it ought to be called "a Bill to encourage Burking." He was inclined to think that the surgeons had it in their power to remove a great deal of the difficulty attending the mode of obtaining dead bodies, by examining carefully all the bodies which were offered for sale. He would suggest, that the bodies of persons found dead, or drowned, not claimed by friends, should be given up for dissection; and he would also have the bodies of suicides, and persons dying in insane establishments, similarly treated. He thought that persons in their lifetime should be allowed to demise their bodies when they should die, receiving remuneration: but he could not approve of the proposal that the bodies of persons dying in workhouses should be subject to dissection. A person being poor was no reason why his remains should be treated with indignity. He did not think the object of the Bill would conquer the repugnance which was felt to dissection.

Mr. *More O'Farrell* suggested, that no removal of a body should be allowed without a certificate as to the death of which he had died. As the Bill stood at present, being confined to England, bodies might be brought from Ireland into this country without any such certificate; so that it seemed to him that the Bill was holding out a premium for murder in Ireland.

Mr. *Warburton* had no objection to the Bill being extended to Ireland, provided that Irish Members would take on themselves to say, that such an extension would be useful.

Mr. *Stanley* said, that a deputation from the Irish College of Surgeons had called on him, and proposed certain modifications for the admission of the Bill into Ireland. It had, however, been arranged, that it would be better to see how the Bill worked in England, after which (if deemed advisable) it might be extended to Ireland; but there was an objection which he had decidedly to make to what had been proposed with respect to Ireland, which was, that all the bodies should be disposed of by the Chief Secretary for Ireland.

Lord *William Lennox* was afraid the Bill would not tend to decrease crime: if it prevented Burking, on one hand, it gave individuals, on the other, a direct interest, if not to murder, yet to neglect their sick relatives, in order that they might have their bodies to sell. He was an advocate for every respect being paid to the remains of deceased friends; for he had frequently witnessed the impression the funeral service made on the minds of soldiers. There were several parts of the Bill to which he felt objections, but the chief was, that its provisions affected only the poorer sort of people.

Colonel *Sibthorp* said, that it was very disgusting to enact that every body not claimed should be given up for dissection. Supposing an Irish labourer came over here, and died in an hospital, of course there would be no relations to claim him. If the hon. member for Bridport chose to give up his own body, nobody could have any objection. He should not mind giving up his body, though, to be sure, it was not worth much. He must also protest against the opinion advanced by the hon. member for Cambridge (Sir Frederick Trench), with respect to the bodies of insane persons. Although they might have no feeling themselves on the subject, yet the malady was distressing enough to the feelings of their friends, not to require dissection to be added to make their sufferings more acute. People complained of the severity of the penal laws; but, in his opinion, crimes were not punished with sufficient severity—especially those most rascally of all criminals, horse-stealers, who were tried at every Assize, and yet rarely ever got hanged, which they richly deserved. The bodies of persons of that description should be dissected.

Mr. *Sheil* contended, that if the importation of bodies from Dublin into England was not to be encouraged, then the provisions of the Bill ought to be extended to Ireland. The Secretary for Ireland said, a deputation from the surgeons in Dublin had expressed themselves contented with the prospect of a Bill being introduced in a subsequent Session. But were the surgeons the only party to be considered? Surely not. Humanity was interested, and, in the name of humanity, he contended that protection ought to be given to Ireland.

Mr. *Warburton* said, he should be ready to meet all objections in Committee.

Mr. *Weyland* said, he was so inimical to the principle of the Bill, that no alteration could reconcile him to it, nor would the moral feeling of the country ever tolerate it. He thought the demand ought to be lessened, by confining the supply of dead bodies to anatomical schools alone, and to those he would give the dead bodies of criminals. He would also allow people to bequeath their bodies for dissection, if they chose to do so.

The House divided on the Motion for reading the Order of the Day:—Ayes 64; Noes 13;—Majority 51.

List of the NOES.

Bateson, Sir R.
Chichester, J. P. B.
Gordon, J. E.
Grattan, Henry
Hodges, T. L.
Hunt, Henry
Lennox, Lord W.
O'Farrell, R. M.
Pelham, J. C.
Ruthven, E. S.
Thicknesse, Ralph
Wyse, T.

TELLER.
Sibthorp, Col.

Order of the Day read.

Mr. Warburton moved, that the Bill be re-committed, and that the Speaker leave the Chair.

Mr. *Hunt* said, his objections to this Bill were not to be overcome: he could not reconcile the principles of it to his feelings, and he knew most other persons entertained the same repugnance to its provisions. It was said to be founded on the Report of a Committee; but on what authority had the Committee made its Report, except on the evidence of a parcel of surgeons? and even the members of that profession were not all agreed upon the subject; for Mr. Guthrie, the eminent surgeon, had recently published a pamphlet, wherein he stated, that the Committee themselves were unfit to conduct such an inquiry. The hon. member for Bridport talked of a free trade in dead bodies, and seemed to think but little of persons selling the bodies of their nearest relatives; but he (Mr. Hunt) declared, that the person who would sell the body of his father or mother, would not scruple to commit murder. The hon. member for the University of Oxford had said, that he (Mr. Hunt) considered that anatomy might be superseded by practising on artificial subjects. He had never said so, for he was fully aware, that, to understand the science of anatomy, it was necessary to practise dissection upon the human subject; but he did say, and he repeated it now, that there was no occasion for carrying dissection to such an extent as to mangle bodies in the most disgusting manner. The hon. Baronet also wished that the bodies of murderers and suicides should be exempted from dissection; these were the proper subjects, in his opinion, upon which it should be practised. The hon. Member was of opinion, that the practice of giving up the murderer's body to dissection generated a prejudice against dissection; that was not Mr. Guthrie's opinion. Mr. Guthrie said,

"When Gentlemen in their places in the House of Commons say it is the stigma which is attached to the dissection of murderers that prevents other persons either from leaving their own bodies for anatomical purposes, or from permitting those of their friends to be dissected, and that if this stigma were removed, the reverse would take place, and that people would allow themselves and their friends to be dissected as freely as the anatomical student can desire;—I cannot refrain from inquiring what proof they have of the assertion? And I do not hesitate to say, with all due submission, that they have no proof whatever; and if they will not feel offended at the remark, I will add that they have adopted the opinion on the faith of some one of their medical acquaintance or of some reviewer, without making any substantial investigation of the subject themselves. It is a very fashionable opinion, I admit, among medical men in the present day; but will any one man in the profession who maintains it, affirm that he is himself deterred from leaving his body for dissection by the stigma. I do not believe that there is a single man who will answer yes. They know better. The late Dr. Gooch first broached to the public, in the *Quarterly Review*, the insufferable doctrine, that the poor and honest man should be dissected because he was poor, and that the murderer, the thief, and the rogue, should escape this process, because the doctors, forsooth, declared it to be an unobjectionable one, which all poor men should like, and which rogues and thieves disgrace, and to which they attach a stigma. But did he act up to the opinion he thus edited? Did he set an example of his belief in it by leaving his body for dissection? He did no such thing; but when he died, which happened shortly afterwards, he took care to have himself buried in the usual manner. I have argued, in my former letter, that there is no more reason for a medical man's giving up his body for anatomical purposes than for any other person; this I argued on general principles: but if a medical man maintains the opinion, that dissection is an unobjectionable process, which people ought to submit the dead bodies of their friends to for the sake of science, and the benefit of the living, I, in my turn, maintain that they are bound to set the example. Will they do it, or have they done it? The late Mr. Abernethy was a student and teacher of anatomy for nearly fifty years—a sufficient length of time, it will be admitted, to have enabled him to overcome all prejudice against dissection, and to have satisfied him that it was a process all honest men should be submitted to. The reader will be desirous to know what effect it had upon him—what his directions were for the good of science and of mankind. They were, I believe, that he should not even be opened, much more given over for anatomical purposes; and his family followed him to the grave, as all good men should be followed, and did their best to preserve his remains inviolate."

With reference to the opinion of persons not objecting to dissection, Mr. Guthrie afterwards alluded to the late Mr. Bennett, of the London University, whom he described as being notoriously addicted to anatomy.

"The instance he said, of the late Mr. Bennett, professor of anatomy in the London University, is even stronger. He was a gentleman notoriously addicted to dissection, and was one of the most prominent in his endeavours to secure the success of Mr. Warburton's late Bill, which handed over the poor in every part of Great Britain for dissection. He died of a doubtful complaint, after a long and lingering illness. He knew that his medical friends wished to ascertain the cause of death, but so strong was his prejudice, as regarded himself, that he left the most positive directions that he should not even be opened—that is, merely examined, to ascertain the nature of his disease. He left the direction with so many people, that they felt they could not break through it and yield to the solicitations of the physicians who had attended him during his illness. Will any one say this repugnance to be even opened arose from the circumstance of murderers being dissected? No: every one must acknowledge that it did not; but that it was caused by a strong prejudice he entertained on the subject, which neither time, reason, nor a life employed in dissection, could remove, but had on the contrary strongly confirmed. Has any one poor man been ever known to say that he would leave his body for dissection if murderers were not dissected by law? I answer confidently not one, but that they all have, and cherish, and will continue to cherish, the same prejudice as Mr. Bennett."

To his mind, the following case quoted by Mr. Guthrie, was a still more remarkable illustration:—

"The late Sir William Myers was mortally wounded, whilst on horseback at the head of the fusileer brigade, at the battle of Albuhera, by a musket ball, which broke his right thigh and passed upwards into his body. I had him carried to the village of Valverde, and soon saw that he was dying from mortification of the bowels. At one o'clock in the morning he asked me to tell him the truth as to his situation without reserve, and on my doing so, his reply was, "How many envied me the command of the fusileers a few hours ago—how few will envy me now." He then said, "he had one favour to ask of me which if I would promise to grant, he should die contented." I pledged my word, and he then said, "You know I have always insisted upon the surgeons of my regiment and of the brigade, having the right of examining the bodies of all the men who died in quarters, and that I frequently attended myself to countenance the proceeding. You say my wound is as extraordinary as it is unfortunate. I have, I confess it, a prejudice against being opened, of which I am ashamed, but which I cannot get the better of,—promise me that it shall not be done." I promised. He shook my hand and said all his other affairs were settled. At three o'clock, I laid down to rest until daylight, when I found he had just expired. This gallant soldier's prejudice was just as strong as Mr. Abernethy's or Mr. Bennett's; but no one, I feel convinced, will say it had anything to do with the dissection of murderers. Bishop and Williams it is said, were more distressed at the idea of being dissected than at being hanged. They, like Mr. Abernethy, Mr. Bennett, Sir William Myers, and myself, knew too much of the process to like it. I personally have no objection to being opened, and examined as to the cause of death, but I do not intend to be dissected if I can avoid it; and if any man were to say to me that he supposed that my objection would be removed as soon as the dissection of murderers was done away, I should only be prevented by civility from laughing at him."

It was proposed, too, that the bodies of the poor were to be given up for this purpose, but he should certainly propose an amendment to substitute sinecurists in their place; and he apprehended, that if such a provision could be introduced, the Bill would have as many opponents in that House as it had now supporters. It was said, that to object to the body being dissected, was a vulgar prejudice, but few of the refined people liked it themselves. It might be very laudable in a member of the Royal Family to offer his body for that purpose, but his was almost a solitary instance, and he begged to refer to Mr. Guthrie's pamphlet, and to the cases he had therein specified, of persons who were fond of junking up the bodies of others, but who shewed the utmost repugnance to have the same measure practised on their own, and that gentleman further remarked, that the Bill might be a very good one for anatomists, but that it did not give the slightest protection to the public. He hoped the Bill, therefore, would be withdrawn; he admitted that the proper education of surgeons was a great advantage, but that might be purchased at too dear a rate, if it was to be attended with the demoralization of the people; and the only protection afforded to persons dying in a workhouse, was leaving a paper desiring to have their bodies buried without dissection; but as it was the interest of the Governors to destroy such, how many did the Committee think would be produced? He understood that bodies could be imported from foreign countries, to answer all the purposes of dissection; that practice ought to be encouraged; he was determined to oppose the Bill, and almost every clause of it to the utmost of his power.

Mr. *Macaulay*:—Sir, I cannot, even at this late hour of the night, refrain from saying two or three words. Most of the observations of the hon. member for Preston I pass by, as undeserving of any answer, before an audience like this. But on one part of his speech I must make a few remarks. We are, says he, making a law to benefit the rich, at the expense of the poor. Sir, the fact is the direct reverse of this. This is a bill which tends especially to the benefit of the poor. What are the evils against which we are attempting to make provision? Two especially; that is to say, the practice of Burking and bad surgery. Now to both these the poor alone are exposed. What man, in our rank of life runs the smallest risk of being Burked? That a man has property, that he has connections, that he is likely to be missed and sought for, are circumstances which secure him against the Burker. It is curious to observe the difference between murders of this kind and other murders. An ordinary murderer hides the body, and disposes of the property. Bishop and Williams dig holes and bury the property, and expose the body to sale. The more wretched, the more lonely, any human being may be, the more desirable prey is he to these wretches. It is the man, the mere naked man, that they pursue. Again, as to bad surgery; this is, of all evils, the evil by which the rich suffer least, and the poor most. If we could do all that in the opinion of the member for Preston ought to be done,—if we could prevent disinterment,—if we could prevent dissection,—if we could destroy the English school of anatomy,—if we could force every student of the medical science to go to the expense of a foreign education, on whom would the bad consequences fall? On the rich?—Not at all. As long as there is in France, in Italy, in Germany, a single surgeon of eminent skill, a single surgeon who is, to use the phrase of the member for Preston, addicted to dissection, that surgeon will be in attendance whenever an English nobleman is about to undergo a critical operation. The higher orders in England will always be able to procure the best medical assistance. Who suffers by the bad state of the Russian school of surgery? The Emperor Nicholas?—By no means. But the poor dispersed over the country. If the education of a surgeon should become very expensive, if the fees of surgeons should rise, if the supply of regular surgeons should diminish, the sufferers would be, not the rich, but the poor in our country villages, who would again be left to mountebanks, and barbers, and old women; to charms and quack medicines. The hon. Gentleman talks of sacrificing the interests of humanity to the interests of science, as if this were a question about the squaring of the circle, or the transit of Venus. This is not a mere question of science—it is not the unprofitable exercise of an ingenious mind—it is a question of care and pain. It is a question of life and death. Does the hon. Gentleman know from what cruel sufferings the improvement of surgical science has rescued our species? I will tell him one story, the first that comes into my head. He may have heard of Leopold, Duke of Austria, the same who imprisoned our Richard Cœur-de-Lion. Leopold's horse fell under him, and crushed his leg. The surgeons said that the limb must be amputated; but none of them knew how to amputate it. Leopold in his agony, laid a hatchet on his thigh, and ordered his servant to strike with a mallet. The leg was cut off and he died of the gush of blood. Such was the end of that powerful prince. Why, there is not now a bricklayer who falls from a ladder in England, who cannot obtain surgical assistance, infinitely superior to that which the sovereign of Austria could command in the twelfth century. I think this a bill which tends to the good of the people, and which tends especially to the good of the poor. Therefore I support it. If it is unpopular, I am sorry for it. But I shall cheerfully take my share of its unpopularity. For such, I am convinced, ought to be the conduct of one whose object it is, not to flatter the people, but to serve them.

The House divided on the Motion for going into the Committee: Ayes 59; Noes 7; Majority 52.

House in Committee, Bill considered, and Report ordered to be taken into further consideration on a future day.

House resumed.

HOUSE OF LORDS,

Tuesday, February 28, 1832.

MINUTES.] Petitions presented. By the Earl of WICKLOW, from All Saints, in Donegal, against the Ministerial System of Education in Ireland:—By the Duke of RICHMOND, from Petworth, for an Alteration of the Poor-laws:—By the Marquis of LANSDOWN, from Yeovil, against the Importation of Foreign Gloves; from the Medical Students of the Theatre in Windmill Street, in favour of the Anatomy Bill; and from Maryborough, for the reduction of the Church Establishment in Ireland:—By the Earl of RADNOR, from Reading, in favour of Factories Bill:—By Lord KING, to the same effect from Kettering:—By the Duke of DEVONSHIRE, from Ballyhaneen, for the Abolition of the System of Tithes in Ireland.

TITHES (IRELAND).] Lord *King* had several Petitions to present from different places in the County of Meath, calling upon Parliament to take the Church Property of Ireland again into its hands and from it to provide for the Clergy of every denomination in that country. In this prayer he concurred; for it was impossible that any one who looked at the signs of the times, should not come to the conclusion, that the present system of tithes could not be permitted to continue. In point of fact, the tithes had, in a great degree, been wrested from those who held them; and therefore it was necessary that the Legislature should show itself disposed to agree to some adjustment of this important question, which would give satisfaction to those who had already obtained the victory. He did not object to tithes because they were the property of the Church, but because they were a pernicious description of property. But how stood the case with regard to Church property generally, the tenure of which he was surprised to hear a noble Lord declare, to be as good and clear in the Church as was the title of their Lordships to their own estates? So different was his opinion, that he said broadly, that tithes belonged to the people; they were, or at least ought to constitute a fund, for providing religious instruction, and for affording charitable and religious consolation to the community.

These, he contended, were the true, original, legitimate objects, for which all Church property was granted. Tithes were a part of the property of the State, and of the people, and had often been dealt with accordingly. Tithe, not unfrequently, had been dealt with without looking to the tenure of the individual possessing an interest in it; for the right to tithe had been forfeited in cases where the individual had refused to adopt the religion of the State. If, at the present moment, as at the Reformation, an alteration in the established religion was to take place, the incumbent would lose his living, if he refused to conform to such alteration. In the same way, and on the same principle Oaths had been occasionally prescribed to be administered to the clergy, which, if not taken at once by the incumbent would subject him to deprivation. In various ways the State had interfered with Church property. If the State were now to endow a Catholic Church in Great Britain, could there be any doubt from whence the fund for the payment of the clergy of that establishment must come? The money for that purpose must come from the funds provided and set apart for religious instruction; and he ventured to say, that until the Catholic Church was endowed with a portion of those funds, neither peace, order, nor tranquillity would prevail in Ireland. There was no other mode of effecting that object, than by giving to the body in question their fair share of the wealth of the Church, which was, originally, set apart for instructing and affording religious consolation to the whole of the people of that country. Such a measure would be the best distribution of this vast property, and would purchase the peace of Ireland. He had heard from noble Lords on the opposite side of the House the most indecorous, extravagant, and highflying pretensions in respect of Church property. He had heard it stated, that the tenure of Church property stood on a higher footing than that of any other description of property. A more injudicious assertion could not be made. He had no wish that the tithe should belong to the landlord, who had no claim to it; but when he heard it laid down that this property could not be touched, he begged to point out to the promulgators of such an absurd doctrine the difference which existed between this and other species of property. Tithe was the property of the State, held for life by the clergy, on the consideration of performing certain services to the public. Tithe was subject to the operation of capricious, arbitrary circumstances, in a way and to a degree which attached to no other species of property, and it might amount to much or little, at any period, according to circumstances. If the owner of the land cultivated corn he had to pay a full tenth; if, however, he laid his land down in grass, the tithe would be less; if he planted it, and turned it into forest, there would be no tithe at all. These were varying conditions of circumstances, which did not exist in respect of any other sort of property. Then, again, as to the origin of tithe, other property was not derived from the law, it was only protected by it, but tithe was altogether derived from the law, and never existed but as separated from or granted by the Crown. He would next draw their Lordships' attention to other instances in which this property had been interfered with. According to existing Statutes, if barren lands were brought into cultivation, they were exempted, for the first seven years, from the payment of tithe; so that here was an example, in which the property that was to yield tithe was wholly valueless to the tithe owner for a term of years. Then, again, the Irish law said, there shall be no tithe of agistment; there was also the Irish Composition Act, the operation of which, it was provided, should be voluntary. He rather thought the framers of that Statute now wished that it had been compulsory. These Statutes, however, were all direct interferences with this species of property on the part of the Legislature. The Archbishop of Canterbury had also brought in a Bill for effecting a composition of tithes in England. That most Rev. Prelate, however, was not the first person who had suggested a measure of this description, for Mr. Pitt caused a Bill to be brought into the House of Commons for effecting a composition of tithes—in the same manner that the land-tax was redeemed—and so as not to leave the amount of the tithe collected in the hands of the tithe-owner, but to entitle him, in lieu thereof, to receive a certain amount of consols. Dr. Paley, also, was a strenuous advocate for the commutation of tithe; and he could bring forward many other eminent authorities who long ago considered that tithe was a pernicious species of property, and and were anxious to get rid of it by commutation, or some other mode. Could that be said of any other species of property? It was said, that if tithes were touched, all other descriptions of property would be endangered; and noble Lords said, "look to France." He repeated the advice—"look to France;" there was no tithe in France, it existed only in England and Ireland. He recommended them in conclusion to imitate the example of France—to provide comfortably for the clergy, but to commute at once, and for ever, tithe into a moderate land-tax. Nothing but that could save the Church both in England and Ireland from utter destruction. His Lordship concluded by presenting a petition from Kilnesson against tithes, &c.

The Bishop of *London* considered it extremely inconvenient and irregular for the noble Baron, day after day, on presenting petitions for the abolition of the present tithe system in Ireland, to enter into such explanations, and make such vehement declarations as those which he had this night ventured upon to their Lordships, against the property of the Established Church, and debating other matters in which its interests were involved, without giving previous notice of his intention. Such a notice would not only be regular but was really requisite, in order that those who considered it desirable to defend the interests of religion, might attend for the purpose of answering and refuting such imputations and statements. It was not his intention to enter into the discussion of the general question; but when the Irish Tithe Bill should come before their Lordships, he would endeavour to show that the tithe possessed by the clergy of the Church of England had been most faithfully applied to the uses of religion, and, therefore, were a sacred property. Till then, he deprecated the attacks of the noble Lord—attacks, indeed, which derived their whole efficacy from the frequency with which they were made. "*Gutta cavat lapidem—non vi, sed sæpe cadendo.*" The noble Baron, in order to shew that Church property belonged to the public, had laboured to prove that it was held under a condition for the performance of certain duties, and he inferred, that if those duties were not performed, the right to such property no longer remained in the Church. In reply to this, he begged to ask the noble Baron whether there did not exist many feudal tenures in this country, under which large properties were held, by the performance of certain specific duties — which duties, however, from the alterations of times and circumstances, and the constitution of society, had fallen into disuse. The Church held its property upon the same species of tenure as many Corporations; and he, therefore, asked whether their Lordships were prepared to call upon the Church to give up that property, on the ground that her revenues were no longer appropriated to the specific uses to which they were destined in former times in this kingdom; while nothing was said in respect of these Corporations which held similar estates, and derived from them such vast emoluments? He did not put this invidiously; but he should be prepared to shew, when the proper time arrived, that several Corporations and private individuals held their property with mere nominal duties to perform, as the consideration. Whether the Church was to be considered a Corporation or not, it would be a great hardship to deprive 1,000 individuals of their incomes, who did not now perform those duties, for doing which those incomes were granted. The statements made by the noble Baron hardly deserved a serious answer; but it was desirable that they should not go abroad, at this period of excitement, uncontradicted. The great evil resulting from such observations was, that his statements were so mixed up with truth and fallacy, that indifferent persons did not take the trouble of separating the one from the other; and, from want of proper investigation, truth gave colour to falsehood. That an evil existed under the present tithe system, with respect to the bringing of new lands into cultivation, he admitted, and the object of the Bill which had been brought in, by the most reverend Prelate, was, if possible, to remedy that evil. He allowed, too, that while the law remained as at present, a new incumbent might, in some cases, raise his tithes, and exact a rate of payment which must operate on the landholder or on the agriculturist, as a great check to mprovement. This was, no doubt, a serious evil, and a remedy for it would, he trusted, be found. With respect to the general operation and principle of tithes, and to the theory as to whether the tithe fall on the consumer, or on the landlord, he would not presume to determine; but he thought the observations of Mr. Peyronnet Thompson were worthy of attention. He must premise, however, that this author was by no means friendly to tithes; but he gave his opinion as an honest man; this Gentleman, he believed, was also held in high estimation by the noble Lord. Mr. Thompson, in his *Theory of Rent*, said:—

"In opposition to all these arguments, the conclusion is, that tithes fall on the landlords, but have also a certain effect in preventing the cultivation of poor soils, and diminishing the outlay upon others; which, in return, must cause a small re-action upon price, but one far short of throwing the tax on the consumers. And it becomes of importance to ascertain the magnitude of this last effect, and to compare it with what would have been the result, if the support of the clergy had been raised by a tax on the produce of manufactures, instead of agriculture? The rents in England are supposed to be, in the aggregate, a third of the produce. Hence the case so often assumed as an example—with corn at *55s.*—is not very far from an average case. And in it, the diminution of produce consequent on the reduced outlay, arising from a tax of one-tenth or a tithe, would be less than the three-hundredth part. Adding, therefore, this effect to the other, the whole diminution of produce effected by tithes in England—supposing them to be universal—may be estimated at less than the hundred-and-twelfth part. The value of the whole annual produce of agriculture in Great Britain, compared with that of manufactures, has been estimated as being as one to three. If, then, the support of the clergy were to be raised by a tax on the produce of manufactures, instead of agriculture, the tax must be a third of a tithe, or three-and-a-half per cent; and the consequence of this would be, in addition to the tax being paid by the consumers, to cause a gratuitous loss, or prevention of production, which, if ten per cent may be assumed as the average rate of manufacturing profits, would be equal to ten-elevenths, or three-and-a-half per cent, on the whole amount of goods manufactured."

Mr. Thompson then went into some arithmetical calculations, with which he would not trouble their Lordships; and afterwards proceeded to state:—

"Hence the real state of the charge against tithes is, first, that the tax, with the exception of a trifling reduction, is paid by the landlords, instead of being paid by the consumers, as would have been the case if it had been levied on manufactures; and, secondly, that there is a saving of more than nine-tenths of the loss or prevention of production which would have taken place by the other mode. When tithes are asserted to be a peculiarly pernicious and impolitic mode of taxation, these facts are always kept out sight. The proof of the assertion falls to the ground upon examination, like the proof of many other popular outcries. As the woodpecker, the rook, and the goatsucker, have been persecuted, time out of mind, for imaginary injuries, so the ecclesiastical rook has been charged with collecting his subsistence in a manner peculiarly injurious to the public, through clear ignorance or concealment of the nature of the process. Some species of commutation might possibly be better still. But it is plain that the extended outcry has been made either through ignorance or a desire to direct the hostility of the community to a particular quarter by misrepresentation."

Such were the opinions of Mr. Thompson, and he had no doubt that they would be considered a good authority by the noble Lord on this subject.

The Earl of *Radnor* said, he had more than once heard his noble friend, who was in the habit of presenting petitions of this description, censured for expressing his opinions; but that censure he had always thought, was unjust. His noble friend had argument and common sense on his side, and instead of provoking the censure of the right reverend Prelate, for the conduct he pursued ought to receive some acknowledgment. He would take upon himself to state, that the opinions of his noble friend, on this matter, were in unison with the sentiments of nine out of ten of the intelligent and enlightened people of this country. Their Lordships ought to be made acquainted with such opinions, because they were those of the people. The right reverend Prelate censured his noble friend, because he did not give notice of his intention to present these petitions. It appeared, however, that the right reverend Prelate, himself, was not unprepared for this discussion; for he had come down with what he considered a complete answer to the observations of his noble friend. Whether his noble friend was right or not in his statement of this question, he would not take upon himself to decide; but he would affirm, that the feelings of the agricultural portion of the people were in unison with his noble friend's remarks. The people, he begged to tell the right reverend Prelate, would not be satisfied with the principle of composition. There was a Bill of that character last year before their Lordships, and he had reason to know that it was looked upon with dissatisfaction. With respect to the principle of the Church being a Corporate body, or rather that it consisted of 10,000 Corporate bodies, who were supposed to hold for life, under the condition of performing certain duties, he begged to ask, how that principle operated in Ireland, where the mass of the population were Catholics, and, therefore, could not receive those advantages which such a revenue, if applied in another way, might purchase? He thought it hard that his noble friend was censured for the explanations which he considered it necessary to give on presenting petitions, for these explanations and statements were in his (Lord Radnor's) judgment pregnant with important consequences, and, as such deserved their Lordships' best consideration.

Lord *Teynham* said, that it was the general opinion of the agricultural part of the community that tithes operated prejudicially to their interests. He was sure that such was the prevalent feeling in the county of Kent, where the cultivators of the soil bitterly complained of them.

Lord *King* said, that his observations upon the tithe system had been confined to its operation in Ireland. In reference to the extract which the right reverend Prelate had read, he knew that there was a difference of opinion between Messrs. Thompson and Ricardo, the former maintaining that tithe was a deduction from rent, and the latter that it was a tax upon the produce of land. He believed that Mr. Ricardo in this instance was wrong, therefore, he (Lord King) did not object to tithe as a tax upon the produce of the land, but as an impediment to its cultivation, and consequently to the employment of labour.

Petition laid on the Table with several others of the same nature, presented also by Lord King, from various parts of Ireland.

EDUCATION—IRELAND.] The Earl of *Roden* had been anxious to take the first opportunity of calling their Lordships' attention to the Petition he held in his hand, both because the subject was one which had excited great and intense interest in the mind of every man who had any regard to the religion and morality of the people of England, Ireland, Scotland, and Wales, and because he was himself strongly impressed with the great importance of the subject at the present crisis. He held in his hand petitions expressive of the opinions of persons of all classes in Ireland. These petitions proceeded from eight different counties in that country. They came from the officiating Minister, and Protestant Inhabitants of Drumlish, in the county of Longford; from Middleton, in the county of Cork; from the Landlords, Clergy, Farmers, and others of Crossmolina, Adgigoole, Moygaunagh, and Kilfian; from the Gentry, Clergy, and Freeholders, of the Baronies of Iffa and Offa West; from the Inhabitants of Monostereven, the Presbyterian Congregations of Ballykelly and Donaghmore, and from the Session and Congregation of Newhead. They embodied and expressed the sentiments of persons not professing the same form of religious worship, nor agreeing upon various other subjects, but all united in coming forward with the petitions which he had now laid on the Table—they all agreed in declaring that the system of education provided by his Majesty's Government for the use of the people of Ireland was at once unwise, impolitic, impracticable, and unchristian. These were the sentiments of the petitioners, and, in these sentiments, he fully concurred. Nothing, indeed, but a deep conviction of the truth of the statements which these petitions contained, and of the justice and reasonableness of the prayer which they urged, could have induced him to press them upon their Lordships' attention in the emphatic manner which, under existing circumstances, he felt it his duty to do. As a constant resident in Ireland for many years past, earnestly watching over the best interests of that country, he felt it was impossible to avoid devoting his most serious attention to that which he conceived to be of the very last importance—the scriptural education of the people of Ireland; and, under the influence of those considerations, which such a course of conduct could not fail to generate, he had felt bound, in the present circumstances, to come forward and state what he knew to be the sentiments and the feelings of the Protestants of Ireland. He wished to set out with stating, that he was one of those who held that there could be no real sound moral education, except it was founded upon the unmutilated Word of God. That holy Word, pure and unmutilated, was the only fit basis of a system of education for Ireland, or for any Christian country. This was the opinion of the Legislature at the time it voted a large sum of public money for the use of the Society by which the education of Ireland had been promoted; and to which Ireland was so much indebted. There was also the London Hibernian Society; but that never had received any portion of the public funds; but, of both societies the objects were identical, and both had succeeded. That the objects of the Society which Government had hitherto supported were perfectly legitimate—that the means by which those objects were pursued were unexceptionable—he believed no man would deny: that the Society was successful to the extent of its funds was equally undeniable. How did it happen, then, that his Majesty's Ministers had withdrawn suddenly, and without reason, that grant so usefully, so successfully, and so well applied? He understood, from a public document proceeding from the present Chief Secretary for Ireland, that the reading of the holy Scriptures, without note or comment, could not, in the opinion of the Government, form part of any system of education, without rendering it unfit for general diffusion throughout Ireland. The right hon. Secretary said, also, that the indiscriminate diffusion of the Scriptures in schools must be peculiarly obnoxious to a church which denied the free use of those writings even to adults; that the Catholic clergy had opposed themselves to the system of education previously provided, from a conviction that its object and end would be to advance the work of proselytism, to which they were naturally so much opposed. Mr. Stanley thought there was no distinction between the Catholic priesthood and the Irish people; but he (Lord Roden) told him—he trusted he need not tell their Lordships—that there was a wide difference. The people of Ireland were not discontented with the system of education provided for them, and he rested that assertion, not only upon his own personal experience—not only upon the statements made by the several members of the Society, but upon the evidence given on oath before a Committee of their Lordships' House in the year 1825. One of the witnesses who was examined by the Commissioners, was Mr. Griffiths, who belonged to the Hibernian schools. The difference between these schools and those of the Kildare-place Society consisted in this, that the latter put the Bible, without note or comment, into the hands of the children, while the Directors of the London Hibernian Society thought it wrong not to teach the children,so far as they were capable of learning, the Protestant explanation of the Word of God This Gentleman, Mr. Griffiths, was asked if, in consequence of this system, the Hibernian Society's schools were not very unpopular? Noble Lords would recollect that this was no longer ago than 1825. To this question the answer was "Yes, with the Roman Catholic Clergy, but not with the people." This witness was also asked, whether the Roman Catholic clergy did not caution the people against these schools? He answered in the affirmative, but added, that the schools were, nevertheless, very popular with the peasantry, on account of the advantage they derived from them. This was one evidence of the anxiety of the peasantry to avail themselves of the benefit of instruction for their children, and he thought that was sufficient fully to satisfy their Lordships, that the people of Ireland highly esteemed the schools of the Kildare-street Society. In fact, there was not a man acquainted with the circumstances and feelings of the people of Ireland, who could, for a moment, doubt that they were most anxious to avail themselves of the means of instruction which those schools afforded. It had been alleged, that the efforts of that Society were not attended with success. He would state some facts which conveyed the most complete answer to that assertion. In the year 1816 the Society had no schools and no scholars. In the year 1817 there were under its management eight schools and 567 children. He would not trouble their Lordships with the details of the progress of this institution during the intervening years, but would come at once to the year 1825, when its schools had increased to 1,490, and the number of children deriving the advantages of moral and religious education through its means, had reached the gratifying number of 100,000. And what was the situation of this Society, what the evidence of its failure or success, in the year 1831, in that year in which the wise and liberal Government of Ireland determined to withdraw from it all parliamentary support? In that year its schools were 1634, and the children receiving instruction in those schools no less than 132,530. These were proofs of the success of the system, and they rested upon the published, authenticated, and uncontradicted statements of the governors and members of that Society. The new Board of Education, formed under the direction of the present Government of Ireland, consisted of seven members—the Duke of Leinster, the Archbishop of Dublin, the Roman Catholic Archbishop of Dublin, Mr. Blake, Mr. Carlisle, Mr. Holmes, and the reverend Doctor Sadler. This Board was to exercise the most extensive and complete control over all the schools; and Mr. Stanley's letter, to which he had already referred, stated the number of days in the week—from four to five—in which the children of the Irish peasantry were to receive moral and literary instruction, and from any interference with which the parents, or guardians, the clergy, and landlords of the estates on which they resided were excluded. One or two days were set apart for separate religious instruction; and, on other days, after school-hours, the clergy of either persuasion might give instruction to the members of their respective flocks. According to this document, the selection of books was to be the same for all the children attending those schools; they were to be subject to the approbation of the Board, and such as the clergy of both persuasions considered to be admissible. He must say, that this was reposing great trust in a Board. To return to the provisions under which the education of the people of Ireland was in future to be conducted; the first thing he should remark was, that a Protestant Legislature made a regulation which put Roman Catholic children completely out of the pale of all Protestant instruction. This might, to some minds, appear a very trifling consideration; but he felt that he was addressing the fathers of families, persons who loved their children; he was addressing men who felt that the unmutilated word of God was the best inheritance they could bequeath to those who came after them. That was the sentiment which prevailed in that House, and it found an echo in the heart of every true Protestant in every part of the country. It was the single sentiment which animated the bosoms of two millions and a-half of Irish Protestants, who possessed the property and intelligence of the country—a body of men sincerely and earnestly attached to that faith and those principles for which their ancestors fought and bled—they had long possessed the unmutilated Word of God, and they were unwilling to part with it, for the purpose of serving any objects of political expediency, or of trying any political experiment. The conduct of the Government on this subject had made the administration the most unpopular in Ireland that had ever existed, for they were neither popular with one party nor with the other. He denied that there was any third party—any such party as that whose favour his Majesty's Government seemed desirous to conciliate—any persons who were altogether indifferent to religion; or, if there was such a party in Ireland, he firmly believed that the Castle-yard of Dublin would hold them all. Such a party as this would be an opprobrium to any country, and he rejoiced to say, that it did not exist in Ireland. There might be some exceptions, but, generally speaking, the unanimous voice of Ireland would agree with what he said. But nothing had united the voice of the Protestants of Ireland; never was there anything which called forth the indignation of the Protestants of Ireland, so much as the appointment of that Commission for education, consisting of the men whose names he had mentioned. For many of these individuals he entertained great respect, and particularly for the Duke of Leinster, but of the body he would say, that they were persons who, neither for their religious nor their political principles, were entitled to the confidence of the Protestants of Ireland. He knew that one of the greatest blessings resulting from the system of Scriptural education had been, that it brought the landlords of Ireland and their tenants together; but now, and it was fit that it should be known that when he said this he spoke not his own opinion, but that of the Protestants of Ireland, there could be no longer any hope, under the system about to be introduced, that this blessing would be continued to the country. The petition which he had now to present was signed by upwards of 230,000 of the Protestants of Ireland. This was a document to which he might confidently refer as a proof of the unanimity of the Protestants of Ireland upon this subject, even if it stood alone; but it did not stand alone, there were innumerable testimonies to the same effect. Petitions of a similar nature had proceeded from Cavan, from Fermanagh, from Sligo, from Armagh, from Tyrone, and from many other places. The noble Earl then stated the contents of the petition. It was fit, he thought, that he should make their Lordships acquainted with the opinions entertained upon this subject by the Protestant clergy of Ireland, not only those of the Established Church, but of all denominations. First, then, as to the opinions of the members of the Established Church—and those gentlemen who proposed this new law, little knew the value of that distinguished body—men of learning, virtue, and true piety, and distinguished ornaments of the Church; and he was sure that the right reverend Prelates, who supported this measure, would bear him out in this tribute to the worth of the Irish clergy. The noble Lord here read a letter from a clergyman of the Established Church in Ireland to Dr. Sadler, protesting, in the strongest terms, against the disuse of the Bible in its entire form. Then there was the Presbytery of Ulster, consisting of a great many men of influence and character, and of active and irreproachable conduct. What did they say? The first document to which he would advert from them was, that of a letter from the Rev. Mr. Cooke to one of the Education Commissioners, in which the rev. gentleman protested, in the name of the clergy, against the rules which deprived them of their proper influence and control over the education of their flocks. The rev. gentleman said, that the clergy would never consent to the exclusion of Scriptures for a day, an hour, or a moment, and he also complained that instruction was taken out of the hands of the clergy, and given to the Secretary for Ireland. He said, they knew no such authority as the Secretary had usurped over the Bible; they knew of no Secretary, they knew of no Lord Lieutenant, they knew no Prime Minister superior to their God, and they wished their sentiments respectfully conveyed to the Throne, which were these, that neither of those authorities had any right to interfere between them and the Word of God. A noble Lord opposite seemed to laugh, when they said, they knew no such authorities, but, coupled with what followed, it was language that went home to the heart of every Christian man. The Presbyterians of Ulster, were men of great influence, talent, and piety. Here the noble Lord read extracts from opinions delivered by Presbyterian clergymen, reprobating the system of education attempted to be introduced into Ireland; and he would assure their Lordships, that all these gentlemen were entitled to much consideration as honest, intelligent, upright men. He had received from many members of that body, letters strongly expressive of the disapprobation they entertained of the plans adopted by the Irish Government. He could further assure their Lordships, that, at all the Protestant meetings that he had attended, and he had attended many, similar feelings had been manifested. It was most unwise, when the whole country was anxiously waiting to know what would be the conduct of his Majesty's Ministers towards Ireland, for them to interfere between ministers appointed over their flocks, and the means of giving religious education to these flocks. They were the proper conservators of religious instruction, and to them alone it ought to be intrusted. He warned the noble Lords opposite against the course which they had been pursuing. He warned them not to bring down the wrath of God on this favoured land, by preventing the dissemination of those Scriptures. He appealed to the members of the right reverend Bench to preserve to the people those Scriptures for which their predecessors suffered, and not assist to draw down the indignation of the Almighty, by the rejection of his Word, of that "Word which maketh wise unto salvation."

The petitions read.

Lord *Plunkett*, in offering himself to their Lordships' attention, begged leave to assure the House, and the noble Lord, that he was as deeply impressed with the importance of the subject which he had brought under their Lordships' consideration, as either the petitioners or the noble Lord himself. He did not, in the slightest degree, imagine that the noble Lord was actuated by any other motives than those arising from feelings of perfect sincerity in the cause which he advocated. He must, however, be excused if he did not believe that all the other parties whose names were signed to these petitions were actuated by the same motive, for he could not help thinking that there was some little matter of politics mixed up with their zeal, and a feeling which ought not to be allowed to interfere on the subject of religion. He (Lord Plunkett) begged to say, that he had as great a respect, and as sincere a regard, for the Protestants of Ireland, as the noble Earl. These were sentiments which he had avowed through life, which he had never concealed, and which he had taken various opportunities of expressing. But the noble Earl appeared to him to assume all through a great deal too much. He had assumed the right of holding himself out as the representative of the opinions of the Protestants of Ireland. That was a perfect self-assumption on the part of the noble Earl, for, so far as his own observations, and that of those who had the best opportunities of knowing the state of the country went, the opinion of the Protestants of Ireland did not go along with the noble Earl. It might be said, from these debates, that there were, perhaps, only two parties in Ireland—the one ultra-violent and fanatical, and the other a violent and factious party. God forbid, however, that Ireland should be so situated, that she should not have a people, besides these parties, who were anxious to preserve a sound and safe Government for the country. When the noble Earl spoke of the meetings he had attended, and their respectability, he might be permitted to ask a question of the noble Earl. It was, no doubt, difficult to find a test by which to judge a matter of this kind, but he would refer to the nobility of Ireland as one test, and he would ask the noble Earl and the House, of the whole nobility of Ireland, if more than eight had attended these meetings? He did not say, that the nobility ought to be taken as an exclusive test, but still they might be taken as one; and of them all, no more than nine had taken part in these proceedings, of whom one was a minor, and another had denied that he was present. Then the noble Earl had told them of an unanimous feeling amongst the clergy of the Established Church, but how had he proved it? Why, by reading a letter from one clergyman who entertained opinions like those of the noble Earl, to another clergyman who entertained opinions directly hostile to his. He might as well take the Protestant clergyman, to whom the letter was addressed, as the noble Earl the one he had selected, with this difference, however, that when he referred to the letter of this clergyman, it appeared to be one of a taunting and gibing description, and certainly not having any semblance of being dictated by Christian charity. The comparison, too, would not hold when the clergyman to whom this letter was addressed, was known to be the rev. Dr. Sadler, as pious and respectable a man as lived. He did not know who the gentleman was that wrote this letter, but he certainly never had heard one more angry and less worthy of the sacred cause, in defence of which it professed to be written. It assuredly was not very Scriptural in its style, for he was unaware in what portion of the Scripture it could be discovered that the Divine founder of our religion had indulged in gibes. Charity was the foundation of Christianity, and, without adverting to anything said by the noble Earl, he must express his opinion that many of the reverend letter-writers and speech-makers on this subject, appeared to have arrived at the acme of Protestantism, without making their way through the foot-paths of Christianity. He was not surprised at the petitions having such numbers of signatures, for when the people were led to believe it to be their duty, of course they would sign. Then the noble Earl had assumed himself to be the representative of the Protestants of Ireland, and had also assumed a series of facts which were without foundation, as he hoped to prove to their Lordships. The importance of the subject must be his excuse if he was led further than he wished. The subject of national education was most important, and he believed every noble Lord was duly impressed with its paramount importance to Ireland. In Ireland especially, education for the lower classes must recommend itself to the heart of every one desirous of peace and tranquillity. When he spoke of education, he did not speak merely of schools to teach reading and writing, or merely literary advantages. He agreed that it was of far higher importance to give those classes habits of discipline and self-control, and to impress them with the great truths of Christianity. He quite agreed with the noble Earl, that no system of education could be safe unless it was based upon religion, and not merely upon religion, but on the great truths of revelation. To do this in Ireland there were only two modes that could be resorted to—either to have separate schools for Protestants and Catholics, or, on the other hand, to have a common course of education for both. The former plan he looked upon as much to be deprecated, inasmuch as it would tend to perpetuate those differences which were already too wide. A combined system, then, would be most advisable. The natural mode which would suggest itself to any one desirous of consulting at once the peace of the State, and the happiness of the people, would be, let us have a joint system—let us have one based upon the truths of revelation and Christianity; but being so based, let it not be carried on so as to exclude the great majority of the people, by adopting a course in which they could not join. They must, therefore, not form this system in such a way as would prevent the Roman Catholics from attending the schools. Every man, not strongly tinctured with prejudice or partiality, would object to a system which excluded or affronted the largest part of the community. When all the members of both religions were agreed as to the great and general tenets of natural and revealed religion—when they believed in the same God, and hoped for salvation through the merits of the same Redeemer, it would be extraordinary indeed if something could not be found that might be made the basis of a common education for both. But he would not rest the defence of this system merely upon the reason and common sense of the thing. He should presently call their Lordships' attention to documentary opinions, expressed in favour of it by persons who entertained as deep a reverence for the sacredness of the Scriptures, and who felt as strong a desire for the preservation of the Protestant interests, as the noble Earl could feel, or was felt by any other noble Lord in that House. And here he begged to say, in reply to what had fallen from the noble Earl, that it had never entered into the head of any one connected with the Government or with the Board of Education, to say, that the reading of the sacred Scriptures should be debarred or withheld either from the Protestants or the Roman Catholics of Ireland. It was a most unfounded assertion to say, that the object of the new system of education was to prevent the Protestants of Ireland from having access to the sacred and unmutilated Scriptures. The proposition of the Board of Education was, that in the public schools during four days in the week, the Protestant and Catholic children should receive jointly and in common, instructions of a literary and moral character, and that, besides, two days in the week should be appointed on which, from an early period in the day, the Protestant and Catholic children should retire apart, to receive separately religious and Scriptural instruction from their respective pastors. It might be said, perhaps, that more time should be devoted to the religious instruction of the children. But was it fair to tell the people of this country that the object of the Government was, to deprive the Protestants of the Sacred Scriptures? Could anything be more unfounded than such an outcry? Could anything be more untrue than such an accusation? Four days in the week were, it was true, set apart for literary and moral instruction, but, at the same time, the children were not only permitted, but encouraged, in the morning before, and in the evening after school hours, to resort to their pastors for religious instruction. That was not all; during school hours the children would be instructed in selections from the Scriptures, conveying moral lessons to their minds, such as were calculated to make them good men and good citizens. These selections were to be learned in the schools during the hours of common instruction. But, said the noble Earl, "we should not mutilate the Word of God—we should give the unmutilated Gospel." Did the noble Earl mean that all the Gospel should be read at all times, and in all places, and that every day in the week should be devoted to that purpose? Did it never before enter into the minds of Protestant dignitaries, and Protestant divines, to select certain portions of the Scriptures to be read at certain times, on certain days in the week? What was the greater portion of the beautiful and simple service of the Church of England composed of but selections from the Sacred Scriptures? Did the service of the Church throughout the whole course of the year, though it contained a great part of the Scriptures, embrace the whole of them? Why, the noble Earl might as well assert that these selections constituted a mutilation of the Gospel—he might as well call on the people to rise in mutiny against the framers of our Liturgy, and ask 200,000 persons to address the King, and the two Houses of Parliament, to order the heads of the Church to frame a new Church service, as come forward with the assertion which he had made on this occasion in reference to the selections from the Scriptures which he had so vehemently condemned. But what would the noble Earl say, if this system of education which he had so violently attacked, had emanated—not from the present—but the preceding Administration? That such was the fact he (Lord Plunkett) could easily establish by documents which he now held in his hand. The first document that he should read was an extract from the fourteenth Report of the Commissioners of Education in Ireland, dated in October, 1812, as to the selection of books. That Report recommends as follows:—

"In such selection of books for the new schools, we doubt not but it will be found practicable to introduce not only a number of books, in which moral principles will be inculcated in such a manner as is likely to make deep and lasting impressions on the youthful mind, but also ample extracts from the sacred Scriptures themselves, an early acquaintance with which we deem of the utmost importance, and, indeed, indispensable, in forming the mind to just notions of duty and sound principles of conduct. It appears to us that a selection may be made in which the most important parts of Sacred History shall be included, together with all the precepts of morality, and all the instructive examples by which these precepts are illustrated and enforced, and which shall not be liable to any of the objections which have been made to the use of the Scriptures in the course of education. The study of such a volume of extracts from the Sacred Writings would, in our opinion, form the best preparation for that more particular religious instruction which it would be the duty, and, we doubt not, the inclination also, of their several ministers of religion to give at proper times, and in other places, to the children of their respective congregations,"

This recommendation of those Commissioners, embodied the very proposition against which the noble Lord would raise the stones to mutiny, and which he so vehemently denounced as constituting a mutilation of the Scriptures. Now, who were the persons whose names were affixed to this Report, thus recommending that which, according to the noble Lord's doctrine, went to rob the people of the Word of God? The first name to it was that of the Archbishop of Armagh, the late Dr. Stuart. The next was that of the Archbishop of Cashel. The third was that of the Bishop of Killaloe; and here he might say, before he continued reading the names, that he had already neutralized the value of the testimony of the noble Lord's clergyman. The fourth name was that of Isaac Corry, who was Chancellor of the Irish Exchequer under Mr. Pitt. The next was that of Provost Elrington, the present Bishop of Ferns; the sixth was that of Mr. Lovel Edgeworth; the next was that of Mr. Whitelocke; and then followed—would the noble Lord believe it?—the last name signed to the Report from which this extract had been faithfully taken, was the name of Mr. John Leslie Forster, one of the present Barons of the Exchequer in Ireland. Was it fair, after this, for the noble Lord to tell the people of England that a system of education which was founded on such principles, and which was intended to convey common instruction to both Catholics and Protestants, had for its object the depriving the Protestants of the Word of God, and that the selections from the Sacred Scriptures which had been made in accordance with the recommendation of those Commissioners, formed a mutilation of the Gospel? He would next state what was recommended in the Report of the Education Commissioners in 1825. Those Commissioners were, Mr. Frankland Lewis, Mr. Leslie Forster, Mr. William Grant, Mr. Glasscock, and Mr. Blake, the Chief Remembrancer. This Report which was dated May 30, 1825, states,

"On the fullest consideration which we have been able to give to the subject, we are of opinion, that it is desirable to unite children of the different religious persuasions in Ireland for the purpose of instructing them in the general objects of literary knowledge, and to provide facilities for their instruction separately, where the difference of religious belief renders it impossible for them any longer to learn together. Various opinions are entertained with respect to the extent which it is necessary to devote to religious instruction, and in the different schools now in existence the practice is also various; we collect, however, that portions of two days in each week would be fully sufficient. * * * * * The careful instruction of the children in the Bible, not merely by making them read it, but by fixing their attention to its doctrines and precepts, and by exercising their minds in the perception of their true force and meaning, is the first and most important object of Protestant religious education. In addition to this, the teaching one catechism to the children of the Church of England, and one also to the Presbyterians, is the course which appears to be approved by persons qualified to form an opinion on the subject. The mode of giving religious instruction, by teaching in succession a variety of catechisms, has been condemned to us by high authority, and has, we believe, deservedly fallen into disrepute. It is stated by Mr. Daly, as the result of his practice in the schools superintended by him in his parish of Powerscourt, that he finds the children who attend to the comment and explanation of a limited portion of the Scriptures, which are given by him at certain periods of the week, make more progress in religious knowledge, than others who range through a greater extent without the advantage of exposition. The nature and extent of the religious instruction to be administered to the children of the Established Church, will, however, be more properly arranged by the clergy, under the direction of their respective diocesans."

The opinion of every enlightened individual, indeed, who had any experience upon the subject, seemed to be against the proposition of the noble Lord, that in the education of the children of Ireland the Scriptures should be read without note, comment, or exposition. That concord should be established between the followers of the Roman Catholic and Protestant Churches must be the desire of every man. To attain that object, or to take a step towards it, it was well, nay, it was wise, that the children of both should receive their literary and moral instruction together, but surely it must be admitted by every unprejudiced person that the religious education of either ought to be left to the care and management of their own clergy. The noble Lord had stated his wish that the Roman Catholic children should participate in the benefit of reading the Scriptures with their Protestant schoolmates. He would take the liberty of stating, that there never was a greater mistake than to suppose that the reading of the Scriptures was withheld from the Roman Catholics. They were fully admitted to that valuable privilege, accompanied with the additional benefit, as he must maintain it was, of having them explained to them by notes and comments. He thought it must be obvious to every one that, to attain a proper Scriptural knowledge, it was essential, nay, necessary, that the texts of Holy Writ should be expounded and explained. He ventured to express this opinion with the utmost deference and respect for the right reverend Lords who occupied the bench to his left, but he felt satisfied that their opinions, must, to a great extent, coincide with his own. They could be no strangers to the beautiful, the powerful, and the copious commentaries which Locke had published on many portions of the Scriptures. They could not forget how forcibly that able writer had elucidated the somewhat abstruse epistles of St. Paul. Many adult persons must have felt themselves relieved from the difficulties of St. Paul by consulting the admirable commentaries of Locke. The Commissioners, in the report of 1829, reported the opinions of Dr. Murray, the Roman Catholic Archbishop of Dublin, and of the other three Roman Catholic Bishops of Ireland—all of whom concurred in the propriety of allowing the Scriptures to be read, but accompanied with exposition and comment. In conclusion, the Commissioners stated, that, after the fullest investigation, it appeared to them that no better system for the united education of the Roman Catholic and Protestant children of Ireland could be adopted than that which they proposed. Then followed their proposition, which was in these terms:—

"We propose that public schools of general instruction be established—one, at least, in every benefice—in which a literary and moral education to the children of either creed should be given. Two days in the week the school shall break up at an early hour, and the remainder of the day be devoted to the separate religious instruction of the Protestants, the clergyman of the Established Church attending for the purposes at once of superintendence and assistance, and the Presbyterian minister likewise, if he shall so think fit, for the children of his communion. That, on two other days of the week, the school-rooms of general instruction shall, in like manner, be set apart for the Roman Catholic children, on which occasions, under the care of a Roman Catholic lay teacher, approved of as mentioned in the minute which we have given, they shall read the epistles and gospels of the week, as therein mentioned, and receive such other religious instruction as their pastors (who may attend if they think fit) shall direct. It may be right to notice, that in the Roman Catholic Church, there are epistles and gospels appointed, not for Sundays only, but for almost every day in the year, and they comprise altogether, a large portion of the Old and New Testament." * * * *

"It will be necessary also to provide a volume, compiled from the Four Gospels, in the manner adverted to in our conference with the Roman Catholic Archbishops. Such a book, together with the Book of Proverbs, and the work containing the History of the Creation, the Deluge, and other important events, extracted from the Pentateuch, may be profitably used in the schools during the period of united and general instruction. We by no means intend such works as substitutes for the Holy Scriptures, although we propose that the reading of the Scriptures themselves should be reserved for the time of separate religious instruction."

Having read those extracts, now he would ask their lordships—he would ask any candid man—whether this system had been fairly represented by the noble Lord opposite? He would ask any man whether that system recommended, as the noble Lord had charged it with recommending, a mutilation of the word of God, and whether it went to deprive the Protestants of the Gospel? This report also recommended that this system of national education should be supported by the public money. The meek and charitable clergyman whose letter had been read by the noble Lord to the House, said, that he would not admit the interference of the Irish Secretary, or of the Irish Lord Lieutenant, or of the English Prime Minister, in thus mutilating the Word of God, and that the public money should not be devoted to such a purpose. That was the drift of that gibing and ironical letter, and it was plain that the writer would have the public money only distributed as he pleased. In which opinion he was fully seconded, for the noble Lord said ,"I do not approve of the system which you have adopted. I must have the public money expended in a manner which accords better with my own particular views of the principles upon which the education of the people of Ireland should be conducted." Now, if two whole days in the week for reading the Scriptures, in conjunction with Sunday, together with the morning and evening of every other day in the week, were not sufficient for the noble Lord and his clergyman, let them get up an education system of their own—let their friends subscribe money for its support, and let the Scriptures be read under it every hour, or, to use the expression of Dr. Cook, every moment in the week. But no rational man would contemplate such a system as one which should be set up as a national system of education, and to the support of which the public funds should be devoted. The two reports of the Education Commissioners which he had quoted having been referred to a Committee of the House of Commons, that Committee made a report in these terms:—

> "That it is the opinion of this Committee that, for the purpose of carrying into effect the combined literary and religious education of children in Ireland, four days in the week should be exclusively devoted to moral and literary instruction, and that the remaining two days be devoted solely to the separate religious instruction of the Protestant and Roman Catholic children."

That report was made in the year 1828, at which time the noble Duke (Wellington) whom he saw opposite, was at the head of his Majesty's Government. The only other document to which he wished to refer—for he feared he had already been too tedious—was the subsequent report of the Committee of the House of Commons in 1830. That Committee adopted the report of the Committee of 1828, and recommended that a bill should be framed and brought into Parliament founded upon that report. The whole of this, it must be observed, was done during the late Administration; therefore, whether good or bad, it was only fair that the noble Lord should bestow his praise or pass his censure upon the real authors. In pursuance of the recommendation of the Committee of 1830, a Bill was prepared and brought into Parliament, and ultimately, after the present Ministers had come into office, was passed into a law. To carry that law into effect, a new Education Board was formed. It consisted of the Duke of Leinster, the Archbishop of Dublin, the Bishop of Cashel, Dr. Sadler, Mr. Carlile, the Secretary of the Hibernian Bible Society, (the choice of whom, if the Government had any project against the Bible, would certainly have been most unfortunate) and Dr. Murray, the Roman Catholic Archbishop of Dublin. The instructions from Mr. Secretary Stanley to the new Board of Education thus constituted were as follow:—

> "They will require that the schools be kept open for a certain number of hours, for four or five days of the week, at the discretion of the Commissioners, for moral and literary education only, and that the remaining one or two days in the week be set apart for giving, separately, such religious education to the children as may be approved of by the clergy of their respective persuasions. They will also permit and encourage the clergy to give religious instruction to the children of their respective persuasions, either before or after the ordinary school hours on the other days of the week. Although it is not designed to exclude from the list of books for the combined instruction such portion of sacred history, or of religious and moral teaching, as may be approved of by the Board, it is to be understood that this is by no means intended to convey a perfect and sufficient religious education, or to supersede the necessity of adequate religious instruction on the days set apart for the purpose."

Such was the substance of the instructions which the Board had received from Mr. Stanley. The Commissioners had not yet fixed upon any definite plan which they should propose to be adopted. The only fruit of their labours as yet was, a lesson which they had directed to be fixed up in the schools. It was a lesson prepared by the Protestant Archbishop of Dublin. It was sent to the Board for their approbation; and their adoption of it was moved by the Roman Catholic Archbishop. The noble Lord then read the lesson. It was in these words:—

> "Christians should endeavour, as the Apostle Paul commandeth them, 'to live peaceably with all men,' even with those of a different religious persuasion. Our Saviour, Christ, commanded his disciples to 'love one another.' He taught them to love even their enemies, to bless those that cursed them, and to pray for those who persecuted them. He himself prayed for his murderers. Many men hold erroneous doctrines, but we ought not to hate or persecute them. We ought to seek for the truth, and hold fast what we are convinced is the truth, but not to treat harshly those who are in error. Jesus Christ did not intend his religion to be forced on men by violent means. He would not allow his disciples to fight for him. If any persons treat us unkindly, we must not do the same to them; for Christ and his Apostles have taught us not to return evil for evil. If we would obey Christ, we must do to others, not as they do to us, but as we would wish them to do to us. Quarrelling with our neighbours, and abusing them, is not the way to convince them that we are in the right, and they in the wrong. It is more likely to convince them that we have not a Christian spirit. We ought to show ourselves followers of Christ, who, 'when he was reviled, reviled not again,' by behaving gently and kindly to every one."

Such was the lesson which the two Archbishops, in the spirit of Christian charity, adopted. It was now his duty to read a document of somewhat a different description. He held in his hand a handbill, which, he understood, had been distributed throughout the city of London, but which had only come into his possession that day. What effect such an instrument might have had in procuring the 230,000 signatures to the address to which the noble Lord had alluded, he would leave it to their Lordships to judge after he had read it. It was in these terms.

> "Who is on the Lord's side? He that is not with me is against me.—Luke xi. 23. Protestants awake! Friends of the Lord Jesus Christ and the Bible, to your standard! A conspiracy is formed. The powers of earth and hell are combined against the Lord and his Anointed. The armies of infidelity, of Romish Papacy, and liberalism, are united to extirpate the word of God from the earth. They have begun their experiment upon Ireland; and, if you suffer them to make good their ground there, you may rest assured that they will speedily extend their conquests. Shall the Bible be wrenched from the hands and hearts of the children of Ireland? Shall the word of God, and all that has been done by Christian liberality for Ireland, be trampled under foot, and scattered to the wind, at the bidding of the Roman Catholic Priesthood? God forbid."

Was that language to address to the people? what must be the effects of a paper containing such sentiments. The noble Lord—

The Earl of *Roden*: I know nothing of it.

Lord *Plunkett* did not suppose that the noble Lord had anything to do with such a document, because the noble Lord must know that when appeals were made to a great body of the people, in which holy names and sacred names were used to enlist their prejudices on one side, the unavoidable consequences of those indiscreet and unwarranted appeals must be such as every good man would lament. The placard continued—

> "Ye that love the Lord Jesus Christ in sincerity and truth, will never suffer such dishonour and indignity to be done to his name. Adopt, then, the only means you are called upon at present to use, to prevent such a sacrilege: add your names, without delay, to the petition about to be presented to both Houses of Parliament, requesting them to interpose and prevent the proposed measure of taking the Scriptures from the children of Ireland being carried into effect."

He spoke with the utmost sincerity when he said that he acquitted the noble Earl of any knowledge of that wicked and despicable appeal to the prejudice and passion of a large body of the people. But if the noble Lord took up the cause and advocated the views of those from whom such appeals proceeded, he must be amenable for the natural consequences. The handbill concluded by stating that the signatures of persons desirous of attaching their names to the petition alluded to, would be received at 134, Oxford-street, and at 32, Sackville-street. He did not know whether the noble Earl knew anything of the latter place, but he believed it was one at which many meetings had been held. It had been said, that the Roman Catholic clergy had attempted to induce the children of the Catholic parents to withdraw themselves from the schools of Kildare-street society. It was an undoubted fact that they had done so, and that they had been successful. It was the natural consequence of the system upon which those schools were conducted. In the schools of the Kildare-street Society not half the children were Roman Catholics. But in the schools which were maintained by private subscription, and in which the Kildare-street Society had no influence, four-fifths of the children who attended were Roman Catholics. Those two facts spoke volumes. He must now apologize to their Lordships for the length at which he had detained them, and he would conclude by repeating his conviction of the erroneousness of the noble Earl's (Roden) views.

The Archbishop of *Armagh* said, my Lords, it was not my intention to have troubled your Lordships with any observations on my part; but from the debate that has taken place, and the extracts that have been made from some of the Reports of the Commissioners, and from the part I took in one of them, I cannot satisfy myself without explaining to your Lordships the motives by which I was actuated on that occasion, and without, at the same time, expressing my firm conviction that the proposed plan of education is inapplicable to the circumstances of the state of Ireland—that it will undo much of the good that has been done by the system that has been already adopted—and that it will exclude the Roman Catholic population of Ireland from a free access to the Scriptures which they have begun to feel a duty to attend to, and to exercise a right of consulting. My Lords, it may be said that it is consistent with the principles of the Roman Catholic Church to debar the members of its communion from the use of the Scriptures. I maintain it is not consistent with the principles of the Protestant Church to establish a system of national education founded on such pretensions. My Lords, I presume not to interfere with the exercise of any power which the Roman Catholic Priesthood may feel themselves conscientiously bound to exercise or to belong to them. If they wish to be consistent as Roman Catholics, surely we wish to be consistent as Protestants. If they think that religion may be taught without the Scriptures, be it so as far as regards themselves; but let us not, as a Protestant nation, sanction such a principle by establishing schools which are called national, in which the revealed Word of God is not set forth—in which the Bible is not appealed to, is not recognized, is not read as the Word of God, is not devoutly read as the authentic source of religious faith and practice. My Lords, I would go as far as any man in waiving conscientious scruples, especially for the great and important object of obtaining united instruction; and here it may be permitted to me to mention to your Lordships the part I took in the education inquiry, which I think ratifies the sincerity of my declaration. My Lords, in the fond hope of concord and unity of operation, in that hope, I say, the Protestant clergy were persuaded that they were justified in what they did by the professions of a corresponding spirit on the part of the Roman Catholic clergy, and in that hope, I say, we went as far as was allowable; nay further than it was thought prudent for us to go by some estimable Prelates of our noble Church. My Lords, the point we then mainly insisted upon was an adequate representation of revealed truth—that an adequate representation of revealed truth should be exhibited to the youthful mind in the way of national instruction—an education not resting on any particular Church or any particular sect of men, but on the warrant of the Word of God. This, as we declared, was the ground taken by the Prelates of the Established Church of Ireland. My Lords, in this view, and as a preliminary step, a selection from Scripture was prepared under the superintendence of the late Archbishop of Dublin, and it was thought that this selection would be unobjectionable, as it was formed from a book extensively circulated in the schools of the Greek Church throughout the Russian empire. If Scripture was to be given at all, I say, we supposed that this selection would have been unexceptionable. My Lords, it was according to the plan of the Commissioners, that a work of this kind was to be followed by extracts from the Old Testament and from the Epistles, and that, as we hoped, a summary of Christianity common to the Roman Catholics as well as to ourselves might be introduced into the schools, not in exclusion of the Bible, but in addition to the reading of it at the time set apart for private instruction. That such, my Lords, was our intention would appear from the letter addressed by the late Archbishop of Dublin to the Chairman of the Board of Commissioners, which is stated in the ninth Report at page 11. Our objection to the book was, that though it was a part, and, as far as it went, a faithful part of the New Testament, it was not the New Testament itself. We did not object to the use of extracts in our schools; we did not wish to see the sacred volume used as a common spelling-book. What we desired was, that the Bible should not be a banished book from a Christian school—that it should be there the acknowledged source of revealed truth; that it should be there to ascertain the accuracy of any extracts, and to be read by those who were competent to peruse it. And we protested then, as we do now, against the principle of its exclusion. My Lords, the objection of the Roman Catholic hierarchy was quite of a different character. They objected to the book, not because it was unfaithful or imperfect, but because it was an extract from Scripture, and also because it was given in our version. If the latter circumstance had been their only objection it would have been easily removed, for we professed our willingness to attend to any observations on the part of the Roman Catholic hierarchy that could make our work unobjectionable, but no such observations were made. In the minutes of a conversation with the Commissioners, which will be found in the Appendix to the Ninth Report, pages 33 and 34, it is said by one of those Prelates that the use of the scriptural compilation in the English version is a Bible lecture given where we exclude the Bible ourselves; and again, if religious instruction is to be given to Roman Catholic children, it must be by the Roman Catholics. Instead, therefore, my Lord, of the selection which we had prepared, a treatise of Christian lessons was recommended by the Roman Catholic hierarchy—a treatise which might be read by the schools without any knowledge of the existence of the Scriptures, certainly without any knowledge that the precepts and doctrines contained in that treatise had any authority from them. My Lords, from that day to this I scruple not to say that I have despaired of any system of united instruction, formed on a Scriptural basis, being pursued in Ireland—and I entirely concur in the opinion expressed by two of the Commissioners on the late inquiry on education, who declined signing their names to the final Report, that even if the preliminary objection as to the votes could have been removed, enough had appeared during the time that had elapsed from the making of the first Report to satisfy them that there were other and not less formidable obstacles which would have interfered with the execution of their plan. Since the Report was published much has occurred, my Lords, to strengthen this belief in my mind, and I cannot see anything in the formation of the present Board to induce me to think it will be more successful than its predecessor. For the distinguished and eminent Prelate of our Church who is a member of that Board I entertain a high respect. His talents are acknowledged, and his zeal for the Protestant Church is unquestioned; but he is new to Ireland. And great as his talents are, and must be wherever they are exerted, they will be neutralised by the other parts of this most heterogeneous Board. In the principle laid down for the regulation of the proposed system of education, the clergy are positively excluded from any superintendence over the national education—a superintendence committed to them by express legislative enactments—a superintendence which they have exercised with a prudence and discretion which has secured them the confidence of all classes of Protestants, and even of the Roman Catholic population of Ireland. Within the last eighteen years great improvement has taken place in the education of the poor of Ireland; and I cannot see but with deep regret that institutions which have proved their usefulness should now be abandoned, and in their place an untried experiment set on foot—an experiment in which the co-operation of the established clergy of Ireland and of other classes of Protestants cannot be expected, and in which the Roman Catholic hierarchy itself will not join us, as we have been taught by former experiments, unless every Protestant principle be conceded to their pretensions—and unless the national education be given exclusively into their hands.

The Earl of *Wicklow* expressed his unfeigned satisfaction at what had fallen from his right reverend friend. If he had wished to speak immediately after the noble and learned Lord, it was only because he thought that the noble and learned Lord was mistaken in his views as to Ireland. Some remarks had been made relative to the late right hon. Secretary for Ireland, not having taken some more active measures on the subject of education; but that right hon. Gentleman said, that the reports were conflicting, that the Commissioners disagreed, and that it was not possible, off-hand, to devise a better system than that which already existed. He was convinced, that it was not prudent to abandon an old and tried system before a better was devised. If there were no system of education previously established in Ireland which had been found effective, he might not object to the plan proposed; but he did object to substituting that for an old and approved system. The noble and learned Lord appeared to consider that only a small minority of the Protestants objected to the new system, but most assuredly he very much underrated their numbers and moral force. When petitions were signed by 236,000 persons, that alone was a full proof that there was a very strong feeling against the plan. He regretted that the subject had not been noticed in that House during the last Session, and that the noble Marquis, the President of the Kildare-street Society, had not stood up in his place, and demanded from the Government some explanation of its conduct in abandoning the Society. He had the honour to be one of the Vice-Presidents of that Society, and must say, that no system could be better adapted to the purposes required than the system followed by that Society. If that Society were now opposed by the Roman Catholics of Ireland, it must not be supposed that it was on account of general education, but from party views. Up to the time that the Society lost the Government grant, the system was continued to be carried on with increased vigour and effect. It was establishing schools, and pushing education into the most remote districts of the country. He was ready to admit that a great clamour had been raised against the Society, by those whose particular purposes were answered by creating excitement, but between 1816 and 1822 it had been approved of and supported, and advocated by the Catholics of Ireland. He could show, by the evidence of the very highest Catholic authority—that of Dr. Doyle, who had admitted, in his examination before a Committee of that House, that the greater number of the schoolmasters in his own diocese were educated in the schools of the Kildare-street Society, and that he conceived separate schools for the children of the two sects to be mischievous, as it was of much importance that the children should early learn to love and respect each other. That was the language held by a Roman Catholic Bishop. He knew also that two Roman Catholic Bishops had expressed, in their letters, a very favourable opinion of the Kildare-street Society; and that fifty-nine Roman Catholic Priests had described it, in their letters, as a most praiseworthy institution. The clamour against it began in 1825, and then the Roman Catholics first declined to recommend the Society. This was partly occasioned by the hope of inducing two of the Commissioners, who were understood to be of liberal principles, and whose approbation it was believed the Society had not obtained, to discountenance the Society, and to recommend that the funds allowed it by Government should be given to the Roman Catholics themselves. The right hon. Gentleman, the Secretary for Ireland, even, in proposing the abolition of the Society, had showed its great utility, for he had mentioned, in the very speech in which he recommended that the grant should be withdrawn, that since 1816, the number of schools under the Society had increased to between 1,600 and 1,700, and that they contained 133,000 scholars—one half of whom were Roman Catholics. But it was asserted, the proportions according to the respective numbers of the two persuasions, ought to have been much more in favour of the Catholics. On these grounds a clamour had been raised by the leading Catholics. They entertained a conviction that the other Catholics were not unfriendly to the Society, and were profiting by the instruction received, to the exclusion of the influence they wished to retain in their own hands. The Government had not been influenced, as one of its Members said, by the whisper of a faction, but it had been influenced by the roar of clamour, and had bent beneath it like a willow beneath the storm. At the very time that Mr. Stanley was making his statement, a friend of his was near Mr. O'Connell in the other House of Commons, and on expressing his surprise at the course taken by the right hon. Gentleman, Mr. O'Connell observed, "If you knew as much as I do, you would be still more surprised. Mr. Stanley declared, only fourteen days before he left Ireland that he meant to support the Society." "How, then," said his friend, "came Mr. Stanley to change?" "Oh," replied Mr. O'Connell, "we have threatened him into it." That was not a proper situation for any Government. He now begged leave to refer to the construction of the new Board of education, and, with every respect for his personal character, he must say, that in his opinion, his noble friend (the Duke of Leinster) was not well calculated to preside over it, otherwise it was nominally, well balanced. It consisted of a Protestant Archbishop, and a Roman Catholic Prelate; but the former was not supported by his Clergy, and the latter was; and that would soon make one of the scales kick the beam. Already the Dean and Chapter of the former had addressed to him a remonstrance on the subject, to which he had replied, "You may assure the Church that I will never give my sanction to any measure either for the suppression of any part of the Word of God, or for conceding to the Roman Catholic priesthood that principle of religious education which they claim." The result of this would be, that the whole grant for general education would be appropriated by the Romish priesthood. He had no wish to deprive them of the means of educating their people, but he did not think the Protestant Parliament of the empire would long permit such a state of things. He was sure that if the present Government were in office for twelve months, it would be obliged to abandon its own scheme; or, on the specious plea of economy, would withdraw the grant, and conceal, under some miserable plea, its political blunder. He understood that as yet the measure had not assumed any determinate shape; it was not yet a law; and he, therefore, hoped the Government would re-consider its plan; and he was sure that it would promote the peace and tranquillity of Ireland if it would abandon the measure.

Viscount *Melbourne* understood the right reverend Prelate to insinuate that the Government appeared desirous to abandon the principles laid down in the various reports of the Commissioners for education in Ireland, and which had been sanctioned by names of great eminence and piety. He could assure the right reverend Prelate that they had no such intentions, their object was, to carry these principles into effect by establishing a national system of education, instead of one founded on exclusive tenets. The right reverend Prelate remarked that, if the Catholics continued to be consistent in rejecting the Bible, the Protestants ought to be consistent in rejecting extracts from that sacred book. This, of course, inferred, that each party was to hold their own tenets, and it was evident no joint system could be established, unless mutual concessions were made. The plan proposed followed this course, and was sanctioned by great authorities on both sides, and, therefore, he did hope their Lordships were prepared to agree to it, or they must give up all hope of that joint education, which had been so much recommended as the only means of preventing the youth of both parties growing up with hostile feelings towards each other. It was well known that to proceed upon the plans formerly acted upon was impossible, for some of the tenets of the Catholics were directly opposed to it. There was no option, therefore, but to endeavour to establish another system, and he was convinced that when the present heats had passed away, all those who were opposed to the policy of Government would admit they must have given up all hopes of a national system of education, unless they had pursued the course which the Government had followed. The plan which was about to be established was in perfect conformity with all the reports. The first Report which recognized this principle said, "It is desirable, that no attempt should be made to influence or disturb the religious feelings or tenets of any individual, but that such a system of education should be adopted in the schools, that they should be open to all." It then went on to say, that "no attempt for the general education of the lower classes in Ireland can be successful, if any attempt whatever is permitted to be made in these schools to influence the faith of the children." It also laid down as a principle, that "even their religious prejudices, however erroneous, should be respected as much as possible." It was the religious feeling, or perhaps prejudice, of the Catholics, that the Scriptures ought not to be read, and those who put their names to this Report must have contemplated that that feeling should be respected. This Report was peculiarly deserving of attention, because it was composed at a time of greater calmness than the present, when animosities, both religious and political, were not so great as they had since become—when persons were not influenced by the feeling of exasperation which grew up when a contest had prevailed a long time. The principle was broadly laid down in this Report, and subsequent reports were founded on that principle, and only intended to carry it into effect. The most anxious supporters of the Kildare-street Society recommended it as fulfilling that object; but it had gradually become of too exclusive a character. The various reports recommended a more liberal system, such as that now proposed; but that system was not adopted, and, to get rid of present inconveniences, the Government resorted to temporary expedients. Since that time, difficulties and jealousies had grown up, in consequence of the discussions which took place on the Roman Catholic question. Everything was seized upon that could influence public feeling, and the Kildare-street Society among the rest, and it was held up as hostile to the Catholics. He was aware, that, for a time, the Kildare-street Society was regarded favourably by the public, but this feeling soon ceased to exist. From 1822, when the hopes of the Catholics were first greatly raised with a prospect of success, until 1826, there was a continual system of collision. Attempts were made to convert the Catholics, he did not doubt, from the most conscientious motives; but, unhappily, the zeal of some influential persons outran their discretion. Disputes, accordingly, took place between the two religious parties: these increased, and became more inflammatory, and a wide separation and alienation took place, rendering the task of giving instruction to the people more difficult than it had previously been. From that moment the Kildare-street Society became an instrument in the hands of one of the parties. They took such a course, that Roman Catholic children could not attend their schools, except by stealth, or in defiance of their priests. From that moment the schools ceased to be of use to a large portion of the community. When this was observed distinctly, it became evident that the Society ought to have nothing to do with proselytism. The noble Earl seemed to think, that a different course should have been pursued, and that the Government ought to have exerted all its influence in the cause of proselytism. This, however, was not the principle on which the reports of the Commissioners proceeded; it was not the principle on which the present Government of Ireland was conducted; it was not a principle that had been recognized by either branch of the Legislature. The noble Earl said repeatedly, with great emphasis, that we mutilated the Word of God, which was the great objection that he and other conscientious Protestants had to the proposed system of education; but, with submission to the noble Earl's better knowledge, he had strong reasons to believe, that the Kildare-street Society did not require that the Scriptures should be read throughout. That Society caused a selection of parts of the Scriptures to be made: he presumed, therefore, the noble Earl did not mean to call such a selection "a mutilation." He made this remark, because he supposed that it was only on account of his Majesty's Ministers considering it necessary to give a portion of the Scriptures without note or comment, that they were thus charged with having a wish to deprive the people of Ireland of the Word of God—a charge foolish and unjust. If any noble Lords thought that the noble Earl had substantiated his charge against the Government, with them they must stand condemned; but the House would not fail to perceive, that the present was an attempt to raise a cry upon a subject on which, in Ireland, the people's minds were always much interested, and generally much inflamed. Their Lordships, he had no doubt, would agree with him in thinking, that the noble Earl's speech had received a complete answer from his noble and learned friend (Lord Plunkett). There had been meetings, however, where the noble Earl had made speeches to which no answer could be given, and at which meetings his Majesty's Government were held up as the enemies of all religion. In point of fact, this imputation had formed the principal topic of discussion at all the Protestant meetings which had taken place on this subject. An outcry had been raised in Ireland—meetings had taken place on this question of popular education, and from what he had heard or read of those meetings, there did not appear to have been any other topic started; or, even if there was any other, it was treated as merely a subsidiary one, the absorbing topic that his Majesty's Government were enemies to all religion was chiefly insisted on. If these persons had not met together, and made these speeches, he did not think it very likely they would have heard all this declamation about education in Ireland. With respect to other speeches which had been made elsewhere against his Majesty's Government, connected with the same matters, all that he would say of them was, that they answered themselves, or, at least, neutralised one another. Allusion had been made by the noble Earl to the distribution of patronage, and the Government had been charged in some of the Irish journals, with not making a single appointment which did not offer some insult to the Protestants of Ireland; but the other party had sufficiently answered this statement. Mr. O'Connell charged the Government, on the other hand, with an inveterate animosity towards that country, by preferring to office those whom he designated as its enemies, because they were intimately connected with this very party who complained of neglect. When such statements, so inconsistent with each other, were made, the presumption was, that the Government had pursued a straight course, in distributing its patronage fairly between the extremes of conflicting and contending parties, and that they had really endeavoured to place in office those who had been most calculated to fill the posts to which they were appointed. The noble Earl who spoke last, in the latter part of his speech, made a very violent attack upon the proposed plan of education; but the necessity which existed for some change was acknowledged, and, unless they were prepared to abandon the whole system of education altogether—unless they were prepared to say, there shall be no grant of public money at all for that purpose—a decision which, he believed, nobody would recommend—there was no course for the Government to pursue, but to act on the principle laid down in these reports, and which, in effect, was the basis of the proposed system. The noble Earl (the Earl of Wicklow), not content with having brought charges against individuals in their absence, in a recent debate, which ought to have been first forwarded to Government, had now brought a charge against the right hon. the Secretary for Ireland, upon the authority of some third person. This was a very slender ground on which to found a statement of such a kind as that made by the noble Earl. The better course would have been, before that noble Earl made his statement, to have instituted some inquiry as to whether there was foundation for it. Statements of this description unfortunately made an immediate impression; and although their fallacy might be detected, and subsequently proved, the detection might come too late to do away with the evil impression. With respect, also, to the noble Earl's recommendation, that they should reconsider this question, he begged to assure him, that it had been already fully and fairly considered; and his Majesty's Government had come to the conclusion that the proposed plan was the best that could be devised and adopted under existing circumstances. The responsibility, with regard to its success or failure, would rest upon those who would thwart that plan, and not upon his Majesty's Ministers, who had done their utmost to ensure its success.

Lord *Plunkett* begged to say, that he understood that he had committed a mistake in saying that the late Secretary for Ireland had prepared a bill upon this subject.

The Duke of *Wellington* said, that the subject of education in Ireland had occasionally engaged his attention for the last twenty-five years; in fact, since he had been Chief Secretary for that country; but he had not as yet been able thoroughly to make up his mind upon the course which ought to be pursued. He agreed in opinion with the noble and learned Lord, who had declared that opinion with so much eloquence, that any system to succeed, must have a foundation in religion, and that it could not stand on any other foundation. The noble and learned Lord had truly said, that this was to be desired, not simply from the advantages to be derived from religious instruction, but from the promotion of those habits of obedience and discipline which it was necessary to instil into the mind of youth. He admitted that the system proposed by Ministers was, as the noble and learned Lord opposite, and the noble Secretary, had stated, founded on, and justified by, the reports of the Commissioners and the reports of Committees of the other House. But the doubt he entertained was this, whether the system laid down in the reports, and laid down in the letter of the right hon. Secretary for Ireland, was a system which would inculcate those habits of discipline and obedience which were required by the noble and learned Lord, and which would alone satisfy his mind, that, in adopting it, they were doing that which they ought to do. This was his apprehension. What he felt was this, that there was much doubt whether the new system would answer for the education of nearly 500,000 persons in the same advantageous manner as was effected by the existing societies, by the London Hibernian Society, the Sunday School Society, and the Kildare-street Society. What he would say was, that already there was going on a system of religious education, whereby nearer 500,000 than 400,000 persons were instructed—a system of real religious education founded on the Scriptures, which could be interfered with by nobody, priest nor layman, and which was so directed by the Kildare-street Society, as not to give offence to anybody; and now, when the Government was about to establish another system (which he had admitted they were justified to do by the reports), he doubted much whether it would not be attended with less advantage than that which already existed. He was, himself, by no means satisfied that the system to be substituted was so good as that which they proposed to abrogate. If the system were to be changed, he considered that it would be, perhaps, better to have separate schools for the Protestants and the Roman Catholics. Although he admitted, this would be attended with many inconveniences, still he was inclined to think it would be better than the scheme proposed, and did not conceive that it was inconsistent with the plan suggested by the reports. The first report, that of 1812, by no means recommended a system of joint education. The view was, that the Board of Commissioners should have the power of appointing a Roman Catholic or a Protestant school-master; but he did not believe it was their intention that the education should have been a joint one. And what made him think so was this:—In a letter from Mr. Leslie Foster, which appeared in the appendix to the report of the Commissioners, that gentleman insisted that the education should be a joint one, for the children of either persuasion, which he would have hardly thought it necessary to do if such were the understood recommendation of the report. Mr. Leslie Foster, he believed, afterwards altered his opinion upon the subject; but he merely alluded to the letter to confirm his own view of the question. As to what had been said by the noble and learned Lord, and the noble Viscount, he differed from them. On the subject of public, as distinguished from private education, he disagreed with them. He really could not see the difference between public and private education, or why causes of dispute should arise between two classes of persons, if educated by public grants, rather than between the same classes, if educated by private means. All classes of persons, who were educated together here by their private means, agreed quite well together, as Englishmen; and he did not see why they should not in like manner agree, if they happened to be educated by public grants. In conclusion, he stated, that he never could make up his mind that the system recommended by the reports was a good one.

The Earl of *Radnor* observed, that, in his opinion, the noble Duke had by no means supported the sentiments and opinions of those who had introduced the petitions to the House, on which the discussion arose. The noble Duke very fairly said, that Ministers were justified in recommending the adoption of their proposed system by the reports of former Parliamentary Committees, but that he thought, notwithstanding, it would fail. The noble Duke appeared to prefer separate schools, and that the persons of the two persuasions, Protestants and Catholics, should be educated apart from each other; he should like to know how that proposition would be received by the right reverend Bench? What would the right reverend Prelates say, to giving money for the support of Roman Catholic schools. He was a Protestant, and yet saw no objection to the adoption of such a principle; though it was one that would not be favourably received by the country, any more than by the right reverend Prelates. That, however, was a fair and legitimate opposition on the part of the noble Duke, and was a mere difference of opinion between him and the Government. The noble Duke took a very different line of opposition from that which had been pursued by other noble Lords. He thought that many who had listened to this debate, and to the speeches of noble Lords opposite, might have almost doubted whether the discussion regarded education, for it had branched off into several other subjects. The noble Earl opposite (the Earl of Wicklow) had thought fit to make an attack upon a Member of the present Government, in consequence of something that had been told him, in confidence, by a gentleman, as to what a third party had said relative to a change of opinion having suddenly taken place in a certain right hon. Gentleman on this subject. Such a course as this was very unusual and improper, to say the least of it. But there were other parts of the noble Earl's speech which were also extraordinary. He said, the Kildare-street Society was fulfilling the object for which that Society was originally founded, in the best manner. He (Lord Radnor) was ready to admit, it had acted right up to a certain point, but, when it diverged from that, the Roman Catholics set their faces against the Society's schools, and abandoned them. The result was, that private schools were adopted, with the approbation of the Commissioners of Education, and of the Roman Catholic clergy, in order to effect what the Kildare-street Society had neglected. He had attended to the progress of this debate with some degree of curiosity, and had heard, with surprise, the language which fell from the noble Earl (the Earl of Roden). Although it was of the same character, yet it was not so strong as that which was reported to have been used by him in another place: the burden of these speeches, in both cases, being, that the people of Ireland were to be deprived of the consolation of reading the Holy Scriptures; that, in point of fact, the Bible was to be taken from them. He held in his hand a newspaper which contained an extract from the *Dublin Evening Mail*, a paper which, he understood, was very favourably disposed towards the noble Earl and his opinions. The report of the proceedings of the meeting where this and other speeches were made (a meeting of the Protestants of the county of Down), and where the noble Earl himself acted as chairman appeared to have been copied into the *Standard*, to which paper he now referred. It reached him in the country, and he immediately determined to mention the subject on the first opportunity. The noble Earl, in the course of his speech, observed—

> "My friends—many of whose faces I recognize as the faces of those who have, on several occasions, in my visits to their cottages, read God's blessed word together with me—my friends, your children are to be bereft of the consolation which that word can alone impart —and I am sure you will feel the attempt to deprive them of it as I do. Gentlemen, his Majesty's Ministers deny the word of God to the people, and refuse to make the Bible the foundation of their education."

What was the consequence of this appeal? Why, several Bibles were held up in the crowd, and the people cried out, "We will have it in spite of them." He would ask, if it was possible that there could be a greater profanation of the Holy Scriptures than taking Bibles to a public meeting of this description? The noble Earl then went on to say—

> "My friends, I am glad to see you do not travel without the word of God; and I cannot but look upon the design of the Government —to deprive you of it—as the worst attempt of all to undermine religion."

He would here ask their Lordships, whether the conduct of Ministers, in this respect, deserved the language which was here applied to it? and whether the selection of portions of Scripture, which these Parliamentary Reports declared proper, was to be considered a mutilation of the word of God? Did not the noble Earl, did not every Peer, place in the hands of his children selections from the Scriptures, or some little doctrinal tracts, and not the whole of the Scriptures at once? The noble Earl was also reported to have said—

> "We have to complain that the enemies of the Protestants have been raised up, while the Protestants themselves have been trampled upon. We have to complain that the object of his Majesty's Ministers is, manifestly, to undermine our Protestant institutions, and to extinguish Protestant influence in Ireland."

Here was a direct charge against the Government—that everything they did, in respect of Ireland, was an insult to the Protestant faith! And on what account was this charge made? Because, in truth, Government chose to appoint another noble Lord to be Lord Lieutenant of the county of Louth, to the exclusion of the noble Earl! This circumstance was described at this meeting as being an insult to the Protestant faith!

> "What! gentlemen (continued the speaker), is it to be permitted, that he himself who is so worthy of the confidence of any Government—that he should be dishonoured, in order that another may be put in the place where his claims reign paramount—and that other a Roman Catholic? Yes, gentlemen, a Roman Catholic was appointed to the Lord Lieutenancy of Louth, merely because he was a Roman Catholic, in the place of our noble brother, who now fills the Chair."

In another place, the same gentleman was reported to have said,

> "We are nearly 3,000,000 to their 5,000,000. We are not only 3,000,000 in number, but, from the true spirit by which we are actuated—by our education and wealth—we are more worthy of consideration than twice the number of Catholics."

He would not trouble their Lordships with any further extracts from the report of the proceedings of this meeting, as they must be satisfied as to its true character, from the speeches to which he had adverted, and which in his opinion, ought to have met with the noble Earl's reprobation as Chairman of the meeting. There was also a meeting which took place in another county, at which the High Sheriff presided; and it was attended by the Lord Lieutenant of that county, who was not now present, and by another noble Lord who was also a Member of that House. On that occasion, Mr. Archdal concluded his speech by saying,

> "My friends, I will now only add the words used by Oliver Cromwell to his army, when marching through a ford—"My boys trust in the Lord, and keep your powder dry."

He put it to their Lordships, whether it was to be endured that such language as this should be used at a public meeting, on the subject of education in Ireland? But, similar appeals had taken place in this country, for a meeting was recently held at Exeter-hall, in this City, at which a noble Viscount, a Member of this House, presided; and upon which occasion, a certain Resolution was moved by a noble Lord, and seconded by Mr. Shaw, the Recorder of Dublin. He said on that occasion,

> "The Government might make what regulations it pleased; but he trusted the people knew their duty too well to submit to its enactments. It might degrade our mitre. It might deprive us of our property; but our religion was not in our property. If the Government dared to lay its hands on our Bible, then we must come to an issue. We—[exclaimed the hon. Gentleman, with a remarkable energy]—We will cover it with our bodies!—We will!—My friends, will you permit your Christian brethren to cry to you in vain? In the name of my country, and of my country's God, I will appeal from a British House of Commons to a British public. That his countrymen would obey the laws so long as they were properly administered; but if it was sought to lay sacrilegious hands on their Bible—to tear down that standard of the living God, and raise a mutilated one in its stead—then it would be no time to halt between two opinions; then, in every valley, and on every hill of his native country, would resound the rallying cry,—"To your tents, O Israel."

These opinions were sanctioned by noble Peers who came down here and deprecated agitation. He really never heard language more decidedly inflammatory or improper; and, taking into consideration all the circumstances of the case, nothing could be more likely to produce and to increase agitation than the use of such language Of all wars, a religious war was the most horrible—it led to greater atrocities, and was attended with more misery than any other. And what was more likely to produce excitement in the present state of Ireland, than the circumstance of persons of high consideration in the country, on account of their character, their wealth, and station, holding forth such language as that which he had quoted. He also must take this opportunity of expressing his astonishment that such language should have been used on various occasions, and he must add, that the persons who had uttered, or who had tolerated, or sanctioned it, had no right whatever to fix the term "agitators," upon those who differed from them in opinion, when they themselves set such a bad example.

The Earl of *Wicklow* begged to offer a few words in explanation. The noble Earl, in language not very consistent with that courtesy usually observed by one Gentleman towards another, had accused him of having divulged a private communication. He begged to tell the noble Earl, that he never was guilty of any such act. The matter to which the noble Earl referred, was communicated to him by a friend (Colonel Perceval) who gave him full authority to state it. As the noble Earl appeared to have studied the contents of the Irish papers in some instances, had he chosen to consult them on other occasions, he would have found that the hon. Gentleman had made the statement in public which he authorised him (the Earl of Wicklow) to make in that House. The noble Viscount (Melbourne) had certainly treated him with more courtesy, but he had also made some remarks with reference to another statement of his delivered last night, and accused him of impropriety in having brought forward that statement here, instead of having made a private communication on the subject to him, or some other Member of Government. If the noble Viscount, however, had given a moment's reflection to the matter, it would have occurred to him that he had stated, that this circumstance was actually communicated, in the first place, to the Government, who took no notice of the affair. What object, therefore, could it be to him to make a communication on the subject, knowing, that Ministers had already been informed of the facts, and feeling, too, that if he had made any such communication, it would be treated in the same manner, and share the same fate as the preceding one which had been made?

The Earl of *Radnor:* it was matter of regret that the noble Earl had not, when he made the remark, also added the name of the gentleman from whom he derived his information. With respect to the Irish papers, he had only accidentally seen the extracts to which he had adverted, and on that account was not aware of the circumstance to which the noble Earl referred. He presumed, however, that Colonel Perceval had Mr. O'Connell's authority on the matter.

The Earl of *Wicklow* begged to assure the noble Earl that he was again in error, for Mr. O'Connell had made precisely the same statement at a public meeting, and actually quoted the words of Colonel Perceval, the hon. member for Sligo. And what did this prove but that the noble Earl, with that ignorance of facts under which he had spoken, ought not to have attributed to any man that species of conduct which was inconsistent with his duty?

The Duke of *Richmond* took the opportunity of contradicting, upon the authority of the right hon. Secretary for Ireland, the statements put forth during the debate, by the noble Earl (Wicklow), to the effect that that right hon. Gentleman had changed his opinions upon the subject of education in Ireland, under the "threatenings" of Mr. O'Connell. He was assured that his right hon. friend had not given way in any such manner. Mr. O'Connell, Colonel Perceval, and the noble Earl (of Wicklow), who had relied upon their authority, were mistaken. At the same time, in defending his absent friend, he must reprehend the practice of choosing the House in which a Minister did not happen to sit, to make an attack upon him. Before the Chief Secretary was attacked in that House, these hon. Members who had accused him in his absence should have asked him in the House of Commons, if he had changed his opinions. But this was not the only occasion on which such a course was pursued by the party opposed to Government. With all their eloquence, they dared not rise in the same House with the object of their invective; this, he was tempted to say, might be Irish justice; but he trusted it was only the feeling of those, who, in their anxiety to render a Ministry which they thought a bad one, odious and ridiculous, never cared what they said. He did not mean to say, that they did not believe what they said; but their utter hostility to the Administration rendered them credulous in the extreme.

The Bishop of *London* said, he feared that the plan of Government involved a principle with which he could not be satisfied; but he thought that the Ministers ought to be dealt with more liberally and fairly. The overcharged statements in which some noble Lords had indulged were calculated only to do injury to the cause of truth. The most that could be truly said against the Government was, that, in striving to attain a good purpose, they had made a great mistake. A system of religious education was going forward in Ireland, supported by public grants: these grants had been withdrawn by Government, because the entire Scriptures were read in the schools which was not agreeable to the religious tenets of the Catholics. At the same time it should be known, that Government had no objection to have the Scriptures read in the schools; and, of his own knowledge, he could positively assert, that the right hon. Gentleman the Chief Secretary for Ireland had none. But the reading of the Scriptures in an unmutilated state was opposed by the Roman Catholics; and the Government, to promote the purposes of joint education and conciliation, yielded to their objection, and ordered that selections only from the Scriptures should be read—selected, he was afraid, by those who would not be content to give an impartial view of Scriptural truth. It might be said, that the best way to instruct was by selections from the Scriptures. That might be admitted if it did not involve a principle, and if it were not perfectly clear that they were making a concession to the Catholic clergy. As a minister of the Protestant Church, he could not overcome the difficulties which this plan presented. The Ministers had taken away from them a Scriptural education, and had given them one, that he would not say was unscriptural, but which was something that he feared was not perfectly Scriptural. It was thought that this alteration of plan would prevent contention: nothing, he considered, was more likely to promote it. When the Protestant child went home in the evening to his father's house, where he had been in the habit of hearing the Scriptures read, he would naturally ask, why they were not read at school? Because Government did not permit it. Why did Government not permit it? Because the Roman Catholic priests had objected to it. Why did they object to it? Because they did not think the Scriptures should be read without interpretation. And why was this? Because they held the scriptures not to be the sole and essential rule of faith. The whole question, however, was involved in such inexplicable difficulties, that he did not clearly see his way; but he considered that the Government, in forming a plan under the sanction of the priests, had made a great mistake. Unfortunately too that mistake involved an important principle, and was, therefore, looked upon with aversion by a large body of Protestants, not only of those whose connexion with Ireland gave them a partial view, but also by those in England who were acted upon by any political considerations.

The Marquis of *Lansdown*, upon personal examination of the system pursued by the Kildare-street Society, had not found any reason to be dissatisfied with the mode of instruction introduced by that Association into their schools throughout that country. From the effect of a difference of religious feeling, however, it had been fully ascertained that these schools had become obnoxious to the Roman Catholics, who withdrew in a great measure their children from them. The grant of public money, therefore, failing to effect the object for which it had been hitherto voted by Parliament, it was intended to withdraw it. This was what might naturally be expected as the result of the failure. He had placed in districts, where his property lay in Ireland, schools nearly similarly organised with those of the Kildare-street Association, and found that they, without any mismanagement of their masters or of his agents, had not produced the satisfaction or advantage he contemplated, merely because the use of the Holy Scriptures was, as a means of education, irreconcileable with the tenets of the Roman Catholics. The real question was, whether the alternative proposed by the noble Duke opposite was to be adopted, and, because the Catholics would not frequent schools so constituted, were they, as Ministers, to completely abandon the hope of improvement through the medium of associated schools, and leave those classes in Ireland to a system by which they must be disassociated and separated from their very infancy upwards? Had they attempted to continue the present plan, they would have raised up still greater hostility than now existed, and there would have been, instead of 200,000, 500,000 petitioners. He thought the right rev. Prelate should not have dealt so hardly with the Ministerial plan, without giving it a fair trial, more especially when the children were engaged in reading extracts four days of the week, and had the advantage of schoolmasters, of Scriptural instruction from their own persuasion on the other two days. An opinion had prevailed among the Roman Catholic population of Ireland that proselytism was at the bottom of the present system and intentions of Government, and they had been led to suspect this intention in what had really sprung from the most fair and laudable motives. He only begged noble Lords to remember that his Majesty's Government, in acting upon the present plan, was not substituting it for any other plan which had succeeded. The new system was founded upon principles in no respect inconsistent with the general object of giving a religious, moral, and Christian education to all, and of affording at the same time to every Protestant child an education purely Protestant. More could not be accomplished, and this the Government was called upon to attempt in the present state of the country. To give a wholesome education to the children of each religion, and to teach a common harmony and a patriotic feeling to all, would be to act upon a basis upon which greater good would be accomplished than had ever hitherto been effected. Upon these grounds, and upon many others, he returned his most hearty thanks to the right hon. Secretary for Ireland for his attempt; for, looking to former failures, the present plan evinced his courage and sagacity, and he felt that if the right hon. Gentleman could accomplish his purpose, of which he had great hopes, it would produce far greater good than ever had been attained by any one single measure in Ireland. He trusted that the right hon. Gentleman would persevere in his laudable efforts, and that he would speedily see the practical effects of a system, which for thirteen years had been the object of the wishes and received the sanction and support of many highly respectable individuals of the Church of England, and of many Members of the Legislature.

The Duke of *Wellington* feared he had in some degree been misunderstood by the noble Marquis. What he meant to say was, that, while the grants were continued to the Kildare-street Society, other private establishments continued, nor did the system of the Kildare-street Society operate to the separation of the schools.

Lord *Cloncurry* begged to remind the House, that Ireland was a Protestant settlement and a Protestant conquest, and that it abounded with the means of Protestant education and of conversion to Protestantism. For more than a century the charter schools intended for Protestant conversion had received money from the Government, and the Protestant clergy were bound to establish schools for instructing people in their faith. Under these circumstances the Kildare-street Society was established by many benevolent individuals, and their object was, to give to the great body of the people what they required, and which had previously been confined to but a few. When the laws established Protestant schools for the general education of the people, the Catholics of Ireland bore but a small proportion to the Protestants compared to what they did at present, and it was not desirable that so large a portion of the country should be left by Government in a state of absolute destitution with respect to instruction. The Kildare-street Society was, in fact, originally intended for the benefit of the Catholics, and assistance was given to it by Government upon the idea that it would enlarge its plan; but one point insisted upon was the necessity of founding this system of education upon the whole Bible. This was impossible, without interfering with the Catholic religion, and the departure from the original intentions of the Society was one cause of a great number of Protestants seceding from it.

The Earl of *Roden* maintained that, according to the report of the Education Committee made in 1825, the plan of education now proposed had undergone a fair trial, and it had been found utterly impracticable. No objection had been made by the people to the Kildare-street Society until they had been instigated to opposition by their priests, and because the priests were against the Society, the old plan of education had been given up, and the Government was now acting entirely at the dictation of the Catholic clergy. The proposed system was not founded upon the Scriptures; this he had maintained, and no noble Lord in that House had yet convinced him to the contrary, and, in opposing the present measure of his Majesty's Ministers, he felt convinced that he was only speaking the sentiments of the Protestant body of Ireland. Who could maintain that it was just to take grants from the Protestant Institutions of Ireland while they were continued to the Roman Catholics? He thought that the best mode, under all existing difficulties, would be, to withdraw all the grants from the Kildare-street and Capel-street Societies, and from the Catholic Societies, and to leave every body to educate his own children after his own manner.

Petitions ordered to lie upon the Table.

HOUSE OF COMMONS,

Monday, February 28, 1832.

MINUTES.] New Members sworn. Sir AUGUSTUS FITZGERALD, for Ennis; JAMES ADAM GORDON, Esq., for Tregony.

Bill brought in. By Mr. JEPHSON, to Regulate the Office for Registering Deeds, Conveyances, and Wills, in Ireland.

Returns ordered. On the Motion of Sir BYAM MARTIN, a Statement of the Period to which the Issue-notes from the several Dock-yards had been posted in the Navy-officer Ledger on the 14th of the present Month, and to what Date the Posting has been brought up at the present time; and for the Copy of an Admiralty Order, or Orders, to the Commissioners of the Navy, dated in the early part of the year 1830, directing 6,000 Men and Apprentices to be considered as the total number to be borne in his Majesty's Dock-yards; also, a Copy of the Orders given thereupon by the Navy Board to the Commissioners and Officers of the several yards; and of the total Number of inferior Officers, Workmen, Apprentices, borne on the 1st of January, 1830, 1st January, 1831, and 1st of January, 1832, distinguishing the inferior Officers from the others:—On the Motion of Mr. HARVEY, of the Number of Cases, and of the Names of the Parties, in which the Crown has administered to the Estate and Effects of Persons who have died Intestate, leaving no lawful Issue, since the year 1824 to 1830, both inclusive, specifying the Nature and Extent of the Property which has been so obtained, and now in progress of Recovery, with the Appropriation thereof, and also what proceedings have been taken in the Courts of Law or Equity in respect thereof, the Costs attending each Case, and by whom, and to whom paid:—On the Motion of Mr. GEORGE BANKES, Amount of Duty paid on Foreign Manufactured Silks, &c.:—On the Motion of Mr. SPRING RICE, of the Number of Stamps issued to each of the Newspapers published in London, during the year 1831, and the Amount of the Advertisement Duty paid by each.

Petitions presented. By Mr. WILLIAM HOWARD, from the Owners of Real Property at Morpeth, against the Register Bill:—By Mr. MACAULAY, from the Pupils of St. Bartholomew's Hospital, for the removal of existing impediments to the Cultivation of the Science of Anatomy; and from Calne, to be continued in the privilege of returning two Members to Parliament:—By Mr. BOLTON KING, from the Members of the Leamington Political Union, for extending the Elective Franchise of the Borough of Warwick to Leamington:—By Mr. DUGDALE, from Atherstone, complaining of the Distressed state of the Ribbon Trade:—By Mr. HODSON, from the Lace Manufacturers of Barnstable, Against the Factories Regulation Bill:—By Lord Viscount EASTNOR, from the Magistrates, Gentry, Freeholders, and Inhabitants, of Kington, Hereford, Against the Importation of Foreign Gloves:—By Mr. RAMSBOTTOM, from the Licensed Victuallers of New Windsor, for Relief from their Liability to make Restitution for the loss of the Property of their Guests:—By Sir GRAY SKIPWITH, from the Members of the Stratford-on-Avon Political Union, for the Repeal of the Newspaper Stamp Duties:—By Sir FRANCIS VINCENT, from St. Alban's, in favour of the Factories Regulation Bill:—By Mr. DIXON, from the Manufacturers of Soap in Glasgow, for a reduction of the Duties on Soap:—By Mr. SADLER, from the Operatives of Tildesley with Shakerly, Lancashire, for prohibiting the Exportation of Cotton Yarn; and from an Individual, Against the mode of collecting Tithes:—By Mr. BARING, from the Trustees of the British Museum for the usual Annual Grant.

FACTORIES' REGULATION BILL.] Mr. *Sadler* had the honour to be intrusted with several Petitions, which he begged to present, namely, of the Inhabitants of Dewsbury, in favour of the Bill for limiting the hours of labour of children in factories, which was signed by many of the principal manufacturers of the town, and declared, that while the overworking of children had never been profitable to the masters, it had proved lamentably prejudicial to the children. This petition was signed by between 2,000 and 3,000 persons in a few days. Another petition was from the Inhabitants of Heckmondwike in favour of the same Bill, and recommending a careful inquiry into the subject, with a view more especially to protect those master manufacturers who were disposed to act with humanity, from the effects of a mischievous competition. This petition was signed by 1,100 persons. Thirdly, he had the Petition of the Inhabitants of Keighley, agreed to at a public meeting convened by the Constable of the place; signed by a great number of individuals, among whom were master spinners, who expressed themselves anxious for a modification of the present system. Also, a similar petition from operative cotton-spinners and others, engaged in the cotton factories in the county of Renfrew. Also, the petition of workers in the power-loom factories at Glasgow, signed by between 6,000 and 7,000 persons in two days, praying for the removal of a system which tended to demoralize the minds, and destroy the bodily health, of the children employed. Also, similar petitions from the inhabitants of St. Alban's, and of Calne. Those petitions spoke plainly the feelings of the people, and he would not weaken their effect by any comments of his own.

Mr. *Strickland* supported the prayer of these petitions. He would avail himself of this opportunity of contradicting an assertion, that attempts had been made by the friends of the Bill to bring unmerited charges against the masters. He was assured that most of the owners of factories were anxious that some such measure as the present should become a law, so that the evils complained of might be removed. Every one who attentively considered the subject, must arrive at the conclusion, that the present system had not arisen from a spirit of inhumanity on the part of the masters, but from the competition. Some of the clauses of the Bill, at present would, perhaps, require to be modified, and he should be happy to render any assistance in his power to make the measure efficient.

Mr. *Hunt* supported the prayer of these petitions with great pleasure. He was glad that the masters had at last found an hon. Member to defend them. Until he had been informed by the hon. Member, who last addressed the House, that this pernicious system of overworking children arose from competition, he had thought that it was occasioned by the cupidity of the masters.

Petitions to be printed.

BRAZILIAN CAPTURES.] Mr. *Ewart* presented a Petition from Mr. Robert M'Neil, Merchant of Liverpool, complaining of the capture of the brig *Utopia* by the Brazilian squadron, and that, although his claim to remuneration had been admitted, still he was unable to obtain relief. This gentleman was part owner of the vessel in question when it was seized by the Brazilian squadron; and retained by them until it was rotten. A verdict had been obtained against that government in a Brazilian Court of Justice, yet redress had not been afforded. It would be recollected that last year a Commission was appointed, with a view to examine and liquidate the claims against the Brazilians, but that the Commission was, he believed, at an end. He understood that the claims of British subjects against the Brazilians amounted to no less than 500,000*l*., and the Government had neglected to enforce them. The American government had obtained the settlement of all the claims made by American citizens, and he trusted that a similar course would, without delay, be pursued by our own Government. He was happy to hear, a few evenings since, from the noble Lord, the Secretary for Foreign Affairs, that the present Brazilian government was more disposed than its predecessor to listen to the just demands of the injured merchant. At any rate, he hoped, that Ministers would see the propriety of enforcing these claims without delay.

Mr. *Dixon* said, this was an extremely hard case, and deserved the serious consideration of the Government. The Brazilian government was apparently on a friendly footing with our Government; but, although these seizures had taken place upwards of four years ago, our Government had taken no effectual steps to procure relief. It had been stated, that the Brazilian government was willing to contract a loan for the payment of these claims, and that Ministers assented to the arrangement. He understood, however, that the amount so proposed to be obtained was only 300,000*l*., which was not half the claim due to the merchants of this country. Moreover, he entertained doubts even if this justice would be done, unless some further steps were taken by Ministers to forward the matter. He was sorry to understand that our Chargé d'Affaires, had been recalled from the Brazils, who had evinced much zeal in the enforcement of these claims. Other governments had obtained satisfaction for their subjects, while ours had regarded the seizure of English ships with comparative carelesness. He had heard a report that it was intended to resort to reprisals, he deprecated that until every other method had been tried. At any rate, it was most adviseable that Government should forthwith declare what course they meant to pursue. The seizures made were not only contrary to all international law, but even contrary to Brazilian law. The American government had very soon obtained redress for their citizens, and had even obtained the same justice for a British ship which happened to be under American colours. He was determined, if no explanation was given, to bring the matter regularly before the House.

Lord *Sandon* said, his constituents felt very strongly in this matter, and he was determined to support their opinions to the utmost of his power.

Mr. *Hume* complained of the postponement of these claims, and of the want of protection to British merchants from the British Government, which was disgraceful to the greatest maritime power in the world, when all other nations had obtained satisfaction. He would take that opportunity of asking the noble Lord, what salary was given to the Commissioners for settling certain claims on the Brazilian government, and whether that salary was still continued.

Lord *Althorp* said, that, not expecting that the question would be asked, he was not prepared to give the hon. Member the information he required.

Petition to be printed.

SELECT VESTRIES.] Mr. *George Dawson* wished to ask the right hon. Secretary at War, what were his intentions with respect to the dilemma in which the various parishes of Westminster were placed by the interpretation put upon a clause in the Select Vestry Act which he introduced last year? If the intentions of the Select Vestries to oppose the adoption of the new Bill in the parishes inclined to adopt it were carried into effect, the greatest confusion, and, he would add, danger, would result in many parts of the metropolis. The case was this—the Act gave the rate-payers the power of signifying by writing to the Churchwardens their wish to adopt the Bill. The Churchwardens, under the opinion of Counsel, he believed, interpreted this form in writing to mean, that it must be delivered in at the Vestries personally by each individual claiming the right to vote. Now, he asked, what must be the consequence of collecting thousands of individuals together on such an occasion, at such times of excitement in the public mind? The very occasion of disputed parish affairs would make such assemblies inconvenient; and he would add also, that he did not think it very desirable, at a moment when a dangerous contagious malady was in the heart of the metropolis, needlessly to assemble large multitudes together. He asked, therefore, whether it was the intention of the right hon. Gentleman to introduce a short Bill to make the intentions of the Legislature clear upon this point? intentions which, he thought, could not admit of any rational doubt.

Sir *John Hobhouse* expressed his surprise that any doubt should have existed to render it necessary to apply to Counsel as to the construction of the Act. The words upon which the opinion of Counsel had been taken, had been introduced into the Bill in the House of Lords for the very purpose of preventing the assembling of large bodies of persons. The words which originally stood in the Bill required the parishioners to meet, which the House of Lords struck out, and substituted for them the words to which the right hon. Gentleman alluded He agreed with the right hon. Gentleman, that it was inexpedient at the present moment to call large assemblages of persons together, and, he would add, that it was doubtful if their opinions could be taken within the time appointed by the Act. Some of the parishes had several thousand rate-payers. He, however, had no objection to introduce a short Bill, to remove all doubt upon the subject, if it should be necessary.

Mr. *Croker* understood the right hon. Baronet to say, that it would be impossible to collect the opinions of the rate-payers in some of the metropolitan parishes, relating to the Vestry Act, within the time limited by the Act; he, therefore, begged to be informed how their votes could be obtained for Members in the time specified in the Reform Bill.

Sir *John Hobhouse* said, that, by the Vestries Bill, the poll was to be taken in one place, but by the Reform Bill they might have as many as were necessary.

DUTY ON SOAP.] Mr. Alderman *Thompson* rose to propose a modification of the Duty on Soap. It was certainly with some diffidence that he proposed to deal with an item of revenue of so large an amount as 1,200,000*l*., especially when the expenditure of the country last year exceeded the income by the sum of 700,000*l*., and when, according to the Estimate of the noble Lord opposite, the surplus of income for the current year would be so small as 165,000*l*. However, he would not propose to sacrifice any portion of revenue without providing an equivalent for it. He would never advocate any measure which would injure public credit, for the honour and character of the country depended on that being supported. It was his opinion that the plan which he was about to propose would put an end to the competition which at present existed between the fair and the dishonest manufacturer, and that was his chief inducement to bring it forward. The duty at present laid upon soap amounted to 100*l*. per cent. It was not an *ad valorem* duty, but a rated duty of 3*d*. per pound. This duty operated most unequally, for upon the inferior kinds of soap it amounted to 120 per cent, whilst upon the superior kinds, which were exclusively used by the wealthy classes, it was only seventy per cent. In Ireland no duty whatever was paid, and the English and Scotch manufacturers received back the full amount of the duty they paid when they exported soap to that country. The consequence was, that an immense contraband trade was carried on with Ireland. For this purpose the steam communication between Liverpool and Ireland, and the coast of Scotland and the north of Ireland, afforded great facilities. It appeared from papers before the House, that in the last year the amount of soap exported to Ireland, on which drawback was paid, was nine times greater than in 1828, in the former year the quantity was, 301,346lbs.; in 1829, 947,926lbs., and in 1830, 2,551,000lbs. This extraordinary increase of export could only be accounted for by supposing the existence of an extensive contraband trade. The soap, in fact, was not consumed in Ireland, but smuggled back to England, and re-exported to Ireland, and another drawback paid upon it. He would now call the attention of the House to the manner in which the system worked in England, and he thought he could satisfy the House that one-third part of the soap consumed in England did not pay duty. The population of England and Scotland, according to the census of 1821, consisted of 14,118,638 persons, which were, by the tables of the the Statistical Society published in 1827, divided into seven classes, consisting of 2,941,383 families, and whose consumption of soap, according to an Estimate which had been formed by very competent persons, after great labour and research, was as follows. But it was material first to state what the actual consumption of soap had been in the workhouses of six of the most populous parishes in England for each person, viz., Manchester, Salford, Lambeth, Whitechapel, Norwood, and Christchurch: the average consumption of each inmate per annum had rather exceeded 7lb.—

1st Division.—The poorest class of peasantry and labourers, 3½lb. each person per annum.

2d Division.—Labourers earning less than 12*s*. per week, workhouse allowance, 7lb. each person per annum.

3d Division.—Labourers and artizans earning 12*s*. to 20*s*. per week, 9lb. each person per annum.

4th Division.—Ditto, ditto, 40*s*. per week 12lb. each person per annum.

5th Division. — Shopkeepers and others, whose incomes are under 400*l*. per annum, 15lb. each person per annum.

6th Division.—Middle class, 24lb. each person per annum.

7th Division.—Upper class, 30lb. each person per annum.

The average quantity of soap consumed, according to the foregoing classification, would exceed 10lb. for each person, viz.	lb.140,820,420
The quantity upon which duty was paid in 1821, was ..	91,468,987
Leaving to be accounted for	49,351,513

This result proved, that the average consumption by each person, of duty paid soap, was only about 6lb.; which was less than the average quantity used in the six workhouses before referred to. This, he thought, was an unanswerable argument, that a great contraband trade was carried on in this article. He would now proceed to show how the alteration he proposed was likely to effect the revenue. His plan was, to reduce the duty on soap in England to one-half of its present amount, or from 3*d*. per lb. to 1½*d*., and to levy a duty of 1 *d*. per lb. on Irish soap.

The net amount of duty received in 1831, at 3*d*. per lb. was		£1,283,458
Proposed reduction leaves half the duty ..	£641,779	
Duty on smuggled soap 49,351,513lb. ..	308,446	
Ireland, calculated at only half the consumption per head as compared with England and Scotland — say 5lb. on 8,000,000—the last population return would yield, at 1½*d*. per lb.	250,000	
Increased consumption of soap — say, at least, 5,000 tons, at 14*l*. per ton	72,000	
		1,272,225
Leaving only a deficiency of		£11,233

to cover which there would be the duty on the increased consumption of tallow, palm oil, and other foreign commodities used in the manufacture of soap. Another benefit which he anticipated from the reduction of the duty, would be the entire suppression of smuggling and all its demoralizing effects. It had been asserted that it would be better to remove the tax altogether, and substitute another on all the foreign articles from which soap was made, but he had great objection to taxes on raw materials, and, therefore, he could not agree to that assertion. With respect to the manufacture of the article, every thing tended to convince him that a very large illicit trade existed. Excise prosecutions were common, and the number of licenses had much increased. In the years 1824, 1825, and 1826, the average number granted was about 327; in the years 1827, 1828, and 1829, the average number was 584, each of which cost 4*l*. It appeared that forty-six of the persons who obtained those licenses only made in the whole about fifty-one and a-half tons, or on an average, about twenty-two cwt. each. It must, therefore, be obvious to any person that it could never be worth their while to pay 4*l*. for a license to make so small a quantity. The fact, he believed, was, that some of the soap maufacturers dealt in the contraband article, and the license was a convenient cover to their smuggling. On these grounds he submitted to the House, and to the noble Lord, the Chancellor of the Exchequer, the propriety of agreeing to his proposition. There never was a period when the reduction of the duty on this primary necessary of life, would be received with more gratitude than at the present moment, when it was declared by the highest medical authorities, that the best protection against the malady which was spreading through the country, was cleanliness. He concluded by moving, that "the House do resolve itself into a Committee of the whole House, to take into consideration the propriety of reducing the duty on hard soap manufactured in England and Scotland, from 3½*d*. per lb. to 1½*d*. per lb., and also, of imposing a duty of 1½*d*. per lb. on hard soap manufactured in Ireland.

Mr. *Dixon* seconded the Motion; although he must be permitted to say, that he should prefer a tax on tallow if there was any deficiency in the revenue occasioned by the reduction of the duty on soap. He thought, at all events, the landed interest would be benefitted by that, as well as the public in general. There could be no doubt that a vast illicit trade had been carried on, when the duty amounted to 100 per cent upon an article of such primary convenience, and in such universal use.

Lord *Althorp* said, that the form of the notice of the hon. Alderman did not lead him to expect that he would have concluded by a direct motion to repeal half the duty on soap; he had supposed merely that the hon. Alderman intended to take this method of stating the case on behalf of the soap manufacturers. His attention, however, had, for a considerable time, been directed to the question, and he was aware of all the facts connected with it. He would at once fairly own that the only objection he had to the reduction of the duty was, the risk to which it would expose the revenue: at the present moment, and with our present prospects, he should not feel justified in hazarding a sum so considerable. The hon. Alderman had argued that the loss at all events would not be large, but he had assumed also that the reduction to half the present duty would put an end at once to smuggling, which was by no means evident. He doubted the correctness of some of the hon. Alderman's calculations. It was ingenious enough to divide the community into classes, and assume the consumption to be 10lb. each person on an average, but there was no proof of that. In fact, throughout, the hon. Alderman had been rather too sanguine in his anticipations, and the loss could not be compensated by a duty on tallow without thereby augmenting the impost on candles, for it must be recollected that this country did not produce enough tallow to supply her own consumption of that article, and a tax upon the importation of it, therefore, would have the effect of raising the price of all the tallow in the market to the extent of that duty. The consumers would be injured to that extent, and candles were as much in demand amongst the poor as soap. He was obliged unwillingly to resist the motion, as he had said before, merely on the ground that the executive government could not afford to hazard so large a sum: could it be done safely, he believed that it might be done advantageously.

Mr. *Robinson* was of opinion that it was by no means expedient, in the present circumstances of Ireland, to impose a new tax upon that country, and would much rather impose a duty upon foreign tallow. It was not desirable that there should be different rates of duty in Great Britain and Ireland; but this was not the time to impose new taxes on the people of Ireland, as it would only tend to increase the discontent which prevailed to such an alarming extent in that country. He was aware that the Government was placed in a situation of great difficulty. On the one hand, the amount of our expenditure was at present so great, as to require the utmost care to prevent a defalcation in any branch of our revenue; while, on the other, there were many taxes which pressed heavily on the productive industry of the country—the removal of which would be attended with the greatest benefit. As to imposing a duty on Russian tallow, he would ask, whether it would not be wise to show that Government which had imposed almost prohibitory duties on the commodities of this country, that we had the power in our hands of retorting. The only mode by which Russia and other powers could be made just, was to adopt the principle of retaliation. That policy had been pursued towards the United States, and when that power imposed heavy duties on our ships, we prevented the American ships from trading with our colonies in the West Indies, and the American government was very soon glad to change its system. That he knew was contrary to the opinion of those who said "let us act upon a liberal system of policy, and in time we shall convince other nations of the folly of adopting a different policy; but he feared, however, that these anticipations would never be fulfilled. Individuals might be liberal; but nations would never act on such principles. Nations like individuals, ought to be just before they were liberal. When the noble Lord (Lord Althorp) sat on that side of the House, he supported the Motion of the hon. member for Dover, for an inquiry into the whole of our fiscal system, with a view to adopt some changes in the system of taxation, and he, therefore, trusted that the noble Lord would not now overlook the subject. He agreed with him that it was inexpedient to yield to the motion of the worthy Alderman at present, as it might lead to a serious falling-off in the revenue; although, at the same time, the greatest good would result from the repeal of the soap tax. But before any change was made, he would recommend the noble Lord to refer the whole of our fiscal system to the consideration of a Select Committee, with a view to improve it.

Mr. *Hume* believed, that no one objected more to a tax upon raw produce than he did, but if ever a case existed, which would justify a departure from general rules, that case existed with regard to Russian tallow. Before, however, he touched upon that part of the subject, he must say a few words respecting the soap and other Excise duties. He believed that an Excise duty was never imposed upon a commodity, without materially deteriorating the quality of it. It was owing to the Excise duty on the manufacture of this article, that we had worse soap than any other nation in the world; he had been informed that the interference of the Excise in the manufacture was considered as equivalent to a charge of twenty per cent. He thought that the House, therefore, would be justified in calling upon the noble Lord for an immediate repeal of this tax. He understood that it was usual for the Excise officers to visit every tallow-chandler's shop, as they did before the reduction of the duty on candles, under the pretence that they were ordered to see that no soap was made on the premises. The expense, therefore, of the Excise officer, was the same, although the revenue had been greatly reduced. This was another ground upon which he pressed upon the noble Lord the propriety of reducing the duty on soap. With respect to the duty on foreign tallow; it amounted at present to 3*l.* 10*s.* a ton. The Russian merchant, also, had to pay to his government, on exporting tallow, a duty of 4*l.* 10*s.* a ton; and the probability was, if we imposed an additional duty on the importation of tallow, that it would compel the Russian government to remove that tax. He believed the average amount of Russian tallow imported into this country for the last few years was between 50,000 and 60,000 tons; yielding to the emperor of Russia a revenue paid by us of between 200,000*l.* and 300,000*l.* Nearly all the tallow exported from Russia was sent to England, so that we had it in our power to compel the Russian government to reduce this duty, or the Russian tallow would be excluded from our market, and then we might resort to other nations for a supply. In point of fact, we were paying a tax to a foreign State which we might, with little difficulty, secure for ourselves, and, at the same time, be able to remove a most objectionable tax. On such an account, he thought the noble Lord acted wisely last year, in putting a small duty on raw cotton in lieu of the Excise duty on printed cottons, as the latter tax was ten times more than the former. He knew that taxes generally on the raw material were objectionable, and he trusted that we should soon get rid of the duty on the importation of cotton, but it was infinitely better than an Excise tax upon a manufactured article. He was against a duty on soap either in this country or in Ireland, and he had hopes that we might soon get rid of the Excise laws altogether. At present we granted a drawback of 92,000*l.* on soap used in certain manufactures; why should this favour be shown. All manufactures ought to be placed upon an equal footing with regard to the use of soap? It was said that if this duty was imposed, it would enhance the price of all tallow in the market. Our agriculturists would benefit by that, and the consumer would not be much injured, and we should be able to get rid of a most objectionable tax. From 80,000 to 90,000 tons were used, besides that which was imported, and a duty on imported tallow would not be so much felt by the country, as the present duty on soap—an article which everybody was obliged to consume. We should raise nearly the same sum of money by a duty on imported tallow, as by the duty on soap, and should free an important branch of industry from the trammels of the Excise laws. It was bad in principle to impose a duty on the raw material, but balancing that evil with the evils of the present Excise duty, the public would benefit by exchanging the last for the first. He hoped to see every branch of our manufactures free from the Excise, for it was only by giving industry and capital full play that any Chancellor of the Exchequer could hope to develope all the resources of the country.

Lord *Robert Grosvenor* did not think any reduction of taxation expedient in the present state of the finances of the country, however desirous the House might be to afford relief to the poorer classes of the people, but he would readily admit that the duty on soap ought to be one of the first remitted.

Mr. *Labouchere* thought it highly desirable that that tax should be reduced, as it was most impolitic to tax the necessaries of life, of which soap must be considered one. He regretted that the present state of the revenue rendered the question very difficult to decide. He was not friendly to commutation of taxes generally. It often produced injury without realizing the views of those who proposed it. He would recommend, however, a commutation of those which pressed upon the lower classes, and particularly of the duty on soap. It would be received as a great boon by the people.

Mr. *O'Connell* said, the Irish soap manufacturers loudly and justly complained of the injuries inflicted on them by the present system. The importation into that country was immense, and the frauds considerable. The duty was calculated upon the size of the frames in which the soap was made, but the drawback allowed on exportation was paid in the real weight of the article, and the difference between these methods of calculation was fifteen per cent in favour of the latter. But, besides the bonus given to the Liverpool manufacturers for exportation to Ireland, another advantage was given to them, and it was, that the drawback was remitted immediately upon exportation, while the duty was not demanded for six weeks, during which time they had the use of the public money. But the Irish manufacturers had, besides, great reason to complain of the partiality of the officers of the revenue. They stated, among other matters, that when Mr. Woodbine Parish was sent to Liverpool to inquire into the subject, he called the soap manufacturers before him, and asked them whether any fraud was committed upon the Irish? They, of course, answered no, which he wrote down in his book, and so the matter ended. It was thus the interests of the Irish manufacturers were attended to. He had an opportunity of examining this Gentleman on the malt drawback Committee, and then ascertained that many of the most important questions relating to Irish manufacturers had been decided according to his recommendations. The present system was a bad one, but he preferred it to the introduction of Excise officers into every manufactory in Ireland. Although many of the manufacturers would consent to that alteration, the expense of it would cost more than the revenue collected. There was, however, no doubt that with the present high duties on soap in England, smuggling and all sorts of frauds would increase. In his opinion, therefore, a tax on tallow would be preferable to this duty, and, besides, it would be of some advantage to Ireland in another way, as they produced that article, and a tax on the foreign commodity would operate as a bounty to her on this account. He had heard the remarks of the hon. member for Middlesex with much pleasure.

Mr. *Goulburn* said, he saw no opportunity in the present state of the finances of remedying the evils and frauds complained of by a reduction of this duty. He regretted that the noble Lord (the Chancellor of the Exchequer) did not avail himself of the recommendation offered to him last year, and repeal half the duty on soap, in place of the whole of the duty on candles. It would have conduced much more to the health, comfort, and cleanliness of the people, than the course adopted by the noble Lord. When the member for Middlesex recommended a duty on tallow, after having voted for the reduction of the duty on candles, did he suppose it would not increase the price of candles? There were 112,000,000lbs. of candles manufactured in this country, and taking 60,000 tons of tallow to be the quantity imported, was it to be supposed that a duty of twenty shillings per cwt. on that quantity, would not add very materially to the price of candles. And this duty would not prevent the export duty of 4*l.* 10*s.* a cwt in Russia being still continued. The only effect of the tax would be to enhance the price of tallow generally throughout the country.

Mr. *Hunt* said, he was the first Member of this House to call the attention of Government to the duty on candles. He was grateful to the Ministers for taking off the duty, and he would not consent to any addition to the duty on foreign tallow. If the British consumer could not derive a benefit from a reduction of the duty on soap, he would not vote for it. Some other way of meeting the reduction of taxes might be adopted, such as a reduction of the salaries of Ministers and other public officers. However, as he was anxious for the consideration of the Reform Bill, and indeed for its success, he hoped the motion would not be pressed. So anxious was he for the success of the Reform Bill, that he would defer a motion of his own which stood for to-night till another period.

Mr. *Briscoe* said, that protection should be extended to the manufacturers of soap in this country, if it were only to prevent smuggling, which was carried on to such an immense extent. He was sure, that the attention of Government could not be too speedily directed to this important subject. The remarks made by the hon. member for Kerry, relating to the manner in which the drawback was allowed, had made a considerable impression on him, so much so, that he thought a Committee up-stairs should be appointed to investigate the matter. In such a Committee, he believed, it could be proved that the reduction of the duty on soap would benefit the consumers, particularly the poorer sort of people, as well as the manufacturer and the revenue by preventing the illicit manufacture of the article.

Mr. *Callaghan* said, that under the existing laws relative to soap, great frauds had taken place, not only against the revenue here, but against the Irish manufacturers of that article, many of whom were undersold in their own market. The traffic in soap between Liverpool and Cork led to smuggling and to fraud. There was scarcely a seaman belonging to any of the steam vessels who was not employed in smuggling soap, a great quantity of which had the drawback allowed upon it more than once, for after being regularlyexported from England, it was clandestinely brought back again and handed to the manufacturers who obtained another drawback upon its re-exportation. In short, no justice would be done to Ireland if the law upon this subject were permitted to remain as it now was.

Mr. *Ewart* said, several hon. Members from the sister country had allowed their imagination to overpower their judgment upon this occasion at the expense of the people of Liverpool. The supposed frauds were mere assumptions against which was to be placed the fact, that a regular inquiry had taken place which had terminated in their favour, although a reduction of the duty was much desired by his constituents who had considerable mercantile transactions in the articles of which soap was made, and if the duty on them was reduced, more British manufactures would be exported.

Mr. Alderman *Thompson* said, that after the discussion which had taken place, and the statement of the noble Lord, (the Chancellor of the Exchequer) he would not press his motion.

Motion negatived.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—SEVENTEENTH DAY.] On the Motion of Lord John Russell, the House resolved itself into Committee on the Reform of Parliament (England) Bill.

Lord *John Russell* said, that unless there was some objection on the part of the hon. Baronet (Sir Henry Willoughby) who had brought forward the case of Dartmouth, or on the part of the Committee, he should move that the postponed discussion on that borough should be resumed. His proposition would be, that Dartmouth should remain in schedule B; but, if the hon. Baronet thought the discussion of that question would occupy much time, he (Lord John Russell) believed he should better consult the convenience of the Committee by postponing his motion on that subject until schedule C was disposed of.

Sir *Henry Willoughby* could not consent to let the case of Dartmouth pass without again calling attention to the subject.

Lord *John Russell* said, that as the discussion on Dartmouth would probably occupy some time, and as he knew that many Members were anxious to proceed to the discussion of schedule C he should now propose that the Committee should enter on the consideration of that schedule.

The Chairman then put the question that "Manchester, Lancashire," should stand part of schedule C.

Mr. *Croker* did not rise to offer any opposition to the proposition that Manchester should return two Members; but he thought it necessary to call the attention of the House to the case of Manchester, as compared with that of Liverpool. During the last Session of Parliament an hon. Member moved that Toxteth Park, a part of Liverpool extra parochial, and containing in itself 25,000 inhabitants, should return a separate Member. That proposition the House thought proper to negative last Session, and he (Mr. Croker) was not going to quarrel with the decision. What he wished to observe, however, was, that a similar proposition had been made with regard to that part of Manchester called Salford, and that proposition the House had agreed to. Now it was impossible that any thing could be more inconsistent than the decisions of the House on those parallel cases. Salford was an integral and indivisible part of Manchester, at least as much as Toxteth Park should be considered a part of Liverpool. The town of Liverpool contained 165,000 inhabitants, and Toxteth Park 25,000; making together 190,000 inhabitants. Manchester contained 143,000 inhabitants, and the adjoining township of Salford (including a large rural district) 40,000 inhabitants; making an aggregate of 183,000 inhabitants. Manchester with Salford was smaller, therefore, than Liverpool with Toxteth Park, and upon what principle it was proposed to give three Members to the smaller population, and only two to the larger, he could not conceive. If Salford were at any distance from Manchester, or had a diversity of interests, pursuits, or trade, there might be some cause for the distinction, but as it was, he had heard no reason why one rule should be applied to one place, and a different rule to another, when the identity of interests in both was the same. If, therefore, there was a reason, he should be glad to have it stated. If it was proposed to give a separate Member to Toxteth Park, as well as to Salford, he could understand it; or if it was proposed not to give a separate Member to either, it would be quite intelligible; but what he was at a loss to know was, why the distinction was made.

Mr. *Heywood* was surprised that the right hon. Gentleman could so soon have forgot the discussion which took place on this subject last Session. The House then proceeded on the grounds that Salford was a distinct town from Manchester, was of equal antiquity, and had a separate municipal government, and that, in fact, a considerable degree of jealousy existed between the inhabitants of those places; and it was, therefore, considered expedient that Salford should have a separate Member.

Mr. *Croker* assured the hon. Member that he had not forgotten the discussion which took place on this subject last Session, nor did he now object to Salford having an additional Member; his only objection was, that one rule was applied to Salford, and another to Toxteth Park when the cases as to local connexion were precisely similar.

Mr. *Ewart* said, that in identity of interest, and in point of locality, Toxteth Park must be considered a part of Liverpool. It was extra parochial, and that was the sole distinction. He might add, that he had never heard the slightest wish expressed in Liverpool that Toxteth Park should retain a separate Member.

Mr. *Croker* presumed the hon. member for Liverpool did not mean to assert that the people of Liverpool would not wish to have three Members instead of two, as well as the people of Manchester.

Mr. *Ewart* did not mean to offer any opinion as to the desire of the inhabitants of Liverpool to return three Members. He had merely stated that, so far as he could understand, the inhabitants of Liverpool had no desire to be separated, as a constituency, from the inhabitants of Toxteth Park.

Mr. *Cressett Pelham* contended that there was precisely the same identity between Toxteth Park and Liverpool, as between Salford and Manchester. It was impossible for any person passing through either of them to discover where one town ended or the other began, and they ought to be treated in exactly the same manner. Salford should have been considered as a part of Manchester, as it was to all intents and purposes in every other respect except in the Reform Bill.

Lord *Althorp* observed, that Salford and Manchester had separate jurisdictions, and, as had been stated, a great jealousy existed between the inhabitants of both towns. No such distinction, however, existed between Toxteth Park and Liverpool; and it was upon this ground that, after a full discussion, the House had decided last Session that Salford should have a separate Member, and that Toxteth Park should be united in Representation with Liverpool. As the right hon. Gentleman (Mr. Croker) had asked whether the inhabitants of Liverpool would not prefer having three Members, he might be allowed to ask whether the inhabitants of Toxteth Park would not rather vote for two Members than for one? The people of Salford had applied for a separate Member, but he had never heard that the inhabitants of Toxteth Park had made any such application.

Sir *Charles Wetherell* said, no one doubted that this question had met with considerable discussion; but that was no reason why the Committee should not again take it into serious consideration. His own conviction was not affected by the arguments he had heard, and, therefore, it was competent to him to ask for further information on the present occasion. Manchester was no doubt a very large and very important place for manufactures; and on grounds political and commercial he did not deny that it should have two Members; but what he wanted to know was, why separate it from Salford? He fully concurred in the propriety of giving to Manchester, in its aggregate sense, two Members; but he could not, therefore, concur in giving to Salford, which formed a part of it, a separate Member. That was the fallacy of the argument at the other side. As to any assertion about the existence of a jealousy between Manchester and Salford, it was, to say the least of it, very ridiculous; and he would go along with his right hon. friend in stating, that his Majesty's Ministers, in acting upon their no-principle, were throwing away a Member of Parliament.

Mr. *Rigby Wason* said, he could not possibly agree with the noble Lord, that they were bound by the vote of last Session that Salford was to be separated from Manchester, because the question appeared now under very different circumstances. When the Committee last year resolved, that those places should be separated in Representation, there were thirty vacancies which might have been filled up by places which were entitled to Representatives on account of their wealth and population, and, it was upon this ground that he had voted for giving Gateshead and Salford separate Members, but there were no such vacancies at present, and they ought to allot the new Representatives to separate interests and the most important places. As Salford was not of great importance, and had not a separate interest, it ought to be united to Manchester.

Mr. *Croker* feared his argument was misunderstood. What he meant to state was, that by the principle laid down in the Bill, Liverpool and Toxteth Park were quite as well entitled to three Members as Manchester and Salford. These discrepancies he would leave to the noble Lords opposite to decide. He would also entreat the attention of the House to the maps of boundaries which would be generally in the hands of Members to-morrow, with a copy of which, owing to the courtesy of the noble Lords, he had now been furnished. He particularly alluded to the maps connected with the places contained in schedules B and C. He begged the Committee to look at the map of Manchester and Salford, and he was sure they would find that his few observations were founded in justice.

Lord *Althorp* said, the only question at present before the Committee was, that Manchester should have two Members. The question would arise hereafter, whether Salford should be included in Manchester, or return a separate Member.

Lord *Sandon* corroborated the statement of his hon. colleague (Mr. Ewart), that the inhabitants of Toxteth Park had expressed no wish to be separated from Liverpool. If population was to give the right, Liverpool was certainly entitled to three Members as well as Manchester.

Mr. *Rigby Wason* said, the only reason why the inhabitants of Toxteth Park had not applied for a separate Member was, that they feared to be considered inimical to the Reform Bill. The principles of which they so earnestly approved of that in order to enable them to come to a just conclusion on the subject, he hoped that plans of Liverpool, Bristol, and Bath, with their environs, would be placed in the hands of Members, although none of those places were included in the schedules. It would be impossible otherwise to form a correct judgment as to their comparative importance and claims to additional Representation.

Lord *John Russell* said, that the suggestion of the hon. Member could not be acceded to without altering the whole of the arrangements already made; but the hon. Gentleman would derive all the information he desired from the returns connected with the Boundary Bill.

Sir *Charles Wetherell* would again assert that no answer had been given to the objection taken in this case by his right hon. friend (Mr. Croker). Surely it was no answer to say, that the people of Toxteth Park did not wish to be divided from Liverpool. In forming a new Constitution, was the House to consult the wishes of the inhabitants of particular places, rather than the demands of justice? Again, it was gravely stated,that, because the people of Salford had a feeling of jealousy to the people of Manchester, that borough was to have three Members, instead of two. Were they, like hair-dressers, to place a wig on a block, and give it three curls, or two, just as the people pleased. It was an offence to the understanding of the House, and the good sense of the public, and he hoped to find Ministers repudiating such silly and absurd arguments.

Mr. *James* stated, that Toxteth Park was inhabited by the principle merchants and traders of Liverpool, who had their country houses there. It was natural, therefore, they should feel that their interests would be adequately represented by the Members for Liverpool.

Motion agreed to.

Birmingham, Warwickshire, was ordered to stand part of schedule C, without discussion.

On the question that Leeds, Yorkshire, should stand part of schedule C, and that the Mayor should be the returning officer,

Mr. *Croker* suggested, that, in case his Majesty's Government made Manchester, Birmingham, and the other newly established boroughs, corporate towns, it would be desirable that the Mayor, or chief corporate officer, should be the returning officer (as at Leeds), in preference to the returning officers now named in the Bill.

Lord *Althorp* said, that if any of the newly-established boroughs were made corporations, it would be easy to change the returning officers, as might be deemed convenient.

Mr. *Croker* remarked that if the Bill passed in its present form, no returning officer named in it could be changed, without a separate Act of Parliament. A proviso, however, might now be introduced, which would preclude the necessity of another Act to change the returning officers.

Question agreed to.

On the question that Greenwich, Kent, stand part of schedule C,

Sir *Robert Peel* said, that in the Report there was a distinction drawn between this borough, and the four metropolitan boroughs; but he considered it as much a part of the metropolis as the Tower Hamlets. He did not waive his right to object to Greenwich having Members, but as his noble friend the (Marquis of Chandos) had a motion on the metropolitan boroughs, he thought it better not to anticipate that discussion, and would therefore postpone his observations on the point.

Question agreed to.

"Sheffield, Yorkshire, returning officer the master cutler," "Sunderland, Durham," and "Devonport, Devonshire," were placed in schedule C.

On the question that "Wolverhampton, Staffordshire, returning officer the constable of the manor of the deanry of Wolverhampton," stand part of schedule C.

Mr. *Croker* said, that the question upon Wolverhampton was a mere question of boundaries, and could be best settled, in his opinion, when the House was deciding on the Boundary Bill. There were three or four villages bordering on Wolverhampton; for instance, the villages of Bilston, Willenhall, Wednesfield, and Sedgley, added to Wolverhampton, in order to raise it high in the scale of population. If the precedent of Wolverhampton were to be followed in the case of other places, and the circle enlarged, so as to take in various surrounding villages, he did not know any place in schedule B which would not have a right to return two Members. Greenwich and Deptford, which were places so contiguous, that nobody unacquainted with parish boundaries could tell where the one ended, and the other began, were properly joined together if a new borough was to be formed of Greenwich; but here was Wolverhampton, united with the parish of Sedgley and the villages of Bilston, Willenhall, &c., from which it was as distinct as one place could well be from another.

Mr. *Littleton* said, that his right hon. friend had displayed his want of acquaintance with the county of Stafford when he spoke of the village of Bilston. The village of Bilston, as his right hon. friend was facetiously pleased to style it, contained a population of not less than 14,000 or 15,000 souls, and a market not at all inferior to that of Wolverhampton. The villages of Willenhall, Wednesfield, and Sedgley were so associated with Wolverhampton that no one acquainted with that neighbourhood would think of dissevering them from Wolverhampton. Their interests were so identified with those of Wolverhampton, that they must stand and fall together. But, besides this, the right hon. Gentleman was not very consistent in his argument, for last Session he had endeavoured to persuade the noble Lord to join Wedgebury to Walsall.

Mr. *Croker* said, that if he was inconsistent, it was only because he followed the Reform Bill in his arguments, which was a mass of inconsistencies.

Question agreed to.

The next question was, that the Tower Hamlets, Middlesex, stand part of schedule C.

The Marquis of *Chandos*; this I presume, Sir, is the right moment for me to bring forward the proposition of which I have already given notice, with respect to the metropolitan districts. I feel that what I have to propose is not calculated to make me very popular with the metropolis; but I, nevertheless, feel, that I have a duty to discharge, and that that which I have to suggest is, in my opinion, calculated to promote the best interests of the country at large. I can assure the House that I do not oppose the giving of these additional Members to the metropolis, for the purpose of attacking the Government on the principle of the Bill, or with the intention of throwing obstacles in the way of giving the country a proper Representation; but I oppose the Motion on the ground that those Members are unnecessary and uncalled for, and that conferring so many Representatives on the metropolis will not tend to the benefit of the country at large. Sir, I have always been, and am, an advocate for the extension of the elective franchise; but when I am asked if I am willing to give the franchise to the 10*l.* householders of the metropolis, I answer, decidedly no!—nor can I consent to the formation of these boroughs within the metropolis, because, in my opinion they will prove detrimental to the general interests of the country, and form the germs of great excitement whenever any popular question shall be at issue. If we look back to the times that have lately passed, and the popular questions that have at different periods been agitated, it will be found that the metropolis has never proved lukewarm in obtaining influence for itself, or in forwarding the opinions of the inhabitants of England. On a question of this magnitude I am aware that every one must feel an intense anxiety—an anxiety not only to possess an individual suffrage, but to contribute to the success of a measure to which the people at large are looking for so much benefit, and I am aware that such an anxiety may account for much of that influence lately exercised by the metropolis, and which, it may be said will not be exercised in less agitated times. But though this is the case, we must not lose sight of the real interests of the country, nor forget, that if we give too much power to the metropolis, we shall be affording it the means of guiding the helm of all public affairs, by putting into the hands of its constituency a much greater power than can be safe for the general common weal of the empire. I do not mean, and God forbid that I should ever make, any offensive allusion to any Gentleman for his conduct in this House, either against his honour, his credit, or his independence; but still I cannot help recollecting, that when an hon. Member of the City, actuated, no doubt, by the most honourable feelings thought proper to vote according to the dictates of his conscience, he was immediately called to account by his constituents, and overhauled, as I may say, for his conduct in Parliament, and told, not to vote again in the same manner at the risk of losing their favour and his own seat. I am one of those who say that in this House a man is called on to do his duty independently of all out-of-door consideration; and if we are to come here as the delegates, and not as the Representatives, of the people, I, for one, shall never wish to retain a seat in Parliament, though, while I am here, no consideration shall make me flinch from advocating what I believe to be the true, real, and lasting interest of all England. But my objection to the present vote also rests on the formation of separate boroughs in the heart of London; and I think that the Government might, by enlarging the Representation of Middlesex and of Southwark, exercise a complete justice towards the people, and do as much or more benefit to the cause than they are now effecting by the course which they at present pursue. Sir, it is my intention, if I should succeed in defeating this vote with respect to the Tower Hamlets, to propose an immediate addition to the Representation of the county of Middlesex, by which we shall give an additional protection to the great agricultural interests of this important county. I do this, Sir, in order that both the monied interests and the agricultural interests may be represented. But what is it that we are now doing? We shall, if we agree to this vote, by placing these district boroughs in the hands of individuals who will have nothing but local interests to protect, and who must necessarily have a strong leaning towards popular questions, and that in a degree far too warm to be consonant with the real interests of the country. Sir, if I should succeed in my present attempt, I would propose to arrange the franchise in the following manner: I would attach Lambeth to Southwark, Marylebone to Westminster, and the Tower Hamlets and Finsbury to the city of London. Why do I do this? On the very ground on which the Government has professed to act all along, viz., that of increasing the constituency of places that are now to be represented; and I think that, if we do this, we shall be giving to these places the power of exercising a right of voting perfectly in unison with the principles of the Ministerial Reform Bill. When we are told that Finsbury, the Tower Hamlets, and Marylebone are not represented, I would ask, whether there has ever been any question brought forward affecting the interests of those places, that has not received the fullest attention from this House? Look at the case of St. Saviour's church! Remember the question of the inclosing of Hampstead Heath! And then, if it be asked who represent the interests of the Metropolis, let it be answered, at least three or four hundred of the Members of this House. No one, I think, then, can say, after this, that the Metropolis is not fully represented; and, when it is further recollected that there is never a period when there are not at least 150 Members of this House residing within its limits—Members always liable to be called on to assist its interests—Members always open to communication with all parties—never let it be said, that the Metropolis is without its due influence within the walls of Parliament. I am not one of those who can be frightened by being told that, if we do not agree to this additional representation of the Metropolis, we shall be destroying the principle of the Bill. Sir, we have already agreed to the two main principles of this Bill—the destruction of the nomination boroughs, and the conferring the elective franchise on the occupiers of 10*l.* houses. After this, I beg to ask hon. Gentlemen, whether they consider themselves indissolubly pledged to the giving those additional Members to the Metropolis? I beg to ask them, whether they consider this feature of the Bill so necessary to the welfare of England, that they will, without looking to the right hand or to the left, blindly go forward, and give that power to the Metropolis, which I, for one, certainly feel jealous of, besides entertaining the opinion that it might be better disposed of in another way. I think that, having stated thus much, I cannot do better than to take up no more of the time of the House, more especially as I know that there are many hon. Gentlemen who are desirous of expressing their opinions on this question to the Committee. I will, therefore, only say one more word, in order to explain my feeling more fully. In the first place, I object to the grant of these Members to the Tower Hamlets; and, if I should succeed in my opposition, I shall follow that up by proposing to give two Members to the county of Middlesex, by which that important county will obtain four Representatives. I shall then leave the other six Members to be disposed of by the House as in its wisdom it may think fit. Are there not all England, all Scotland, and all Ireland? And who shall tell me, that places cannot be found for these Members without giving them to the Metropolis, in some parts of which I sincerely believe that there is a disinclination to receive this elective right, from a feeling that it will lead the way to much dissension and turmoil, and produce circumstances which will tend to break the good understanding, and destroy the peace and tranquillity of the district. I shall not now trouble the Committee any further. I leave the matter in its hands. All that I wish is really to make the Bill a better bill, and not to deprive the inhabitants of the Metropolis of any of their just rights. On the contrary, I say, let them have the elective franchise; but let it be for those places which already have the right to return Members—let them be joined in union with London, with Southwark, and with Westminster.

Mr. *John Smith* said, that no one could give the noble Marquis more credit for the purest intentions than he did; and, indeed, there were some parts of his speech in which he most cordially joined. For instance, he perfectly agreed with the noble Marquis, that the inhabitants of the Metropolis had never displayed any apathy towards the great questions that had agitated the kingdom; and he thought it much to the honour of London, that that was the case: but that was one of the main reasons why he insisted, that the Metropolis ought to be more perfectly represented than at present. He happened to be very well acquainted with the Tower Hamlets, and he could take on himself to say, that that district contained many of those manufactures and trades which composed the great commercial power of the Metropolis. But he had heard it stated, that this immense population was likely to be troublesome on any question that particularly referred to their own interests; but his answer was, that there was no greater probability of that, than that the inhabitants of Westminster should prove troublesome in the same way. Had the House ever heard of their interfering improperly with the proceedings of Parliament? He could assure the House, that some of the most eminent of our merchants and manufacturers resided in the Tower Hamlets, or had their establishments there; and, let him ask, had not those persons interests to defend? Had they not property to care for? And had they not the same claim to be represented as those small boroughs, the franchise of which was still retained? He begged also to remind the House of one circumstance, which he considered as of much importance. Those respectable individuals were in full expectation of having the franchise bestowed upon them; and he would put it to the House, whether, in the present state of this great question, it was either right or expedient to show a distrust of, or offer an insult to, upwards of 300,000 inhabitants of the Metropolis. He felt fully justified in declaring, that all those persons were looking forward with the greatest eagerness to the enjoyment of their promised privileges; and they were all united in one earnest feeling on the subject. He, could, therefore, assure the Committee, that the shortest and safest way was, to act justly by them, and give them that which, he contended, they had a fair claim to receive. As to what the noble Marquis had said with respect to the danger of bestowing this franchise upon them, that was as little likely to produce violence or misconduct among them as the same privilege had hitherto produced among the Livery of London. These last were fully as numerous as the electors of the Tower Hamlets would be; and who ever heard of the Livery of London coming with a threatening aspect, and with turbulence and violence to that House, on any occasion, or doing any other act, that could be construed into a desire to intimidate Parliament? Entertaining these sentiments, he had great pleasure in giving his humble but honest support to the vote then before the Committee.

Lord *Althorp:* The noble Marquis has rightly observed, that this question practically is, whether the four metropolitan districts are to have Representatives, or not; and I must say, that, looking at any of the principles on which an enlarged Representation can be given, it is impossible to propose any measure without including these districts, when we take into consideration the wealth, the population, and the intelligence which they contain. Let Gentlemen only consider what these districts are which we have now under discussion. We have given Members to the large manufacturing towns, and to the other large districts throughout the country; but in no instance have we been able to give Members to any district so important as those metropolitan divisions. And what is the objection to this? Why, it is said, that there is danger of its producing violence and tumult, and tending to overawe the Parliament. Now, I think that this objection has been well answered by my hon. friend; for how can we have so much danger of discontent by giving them Representatives, as by depriving them of that privilege. I think, then, that if we are to look to discontent as a part of the argument in this case, it may justly be contended, that we shall have much more of that, if we refuse the franchise, than if we grant it. The noble Marquis has very candidly stated to the Committee what his intentions are, in the event of his succeeding in this vote. He proposes that we should increase the Representation of the county of Middlesex by giving it two additional Members; he also proposes to unite the Tower Hamlets and Finsbury to the City, Marylebone to Westminster, and Lambeth to Southwark. Now, Sir, what is the object which the noble Marquis has in view by all this? He says that he is afraid of confusion arising from the elections that will take place. But will he, under his own arrangement, have less confusion? If he would have us to depart from the provisions of the Bill, which directs that the poll shall be taken in different places, surely there will be immense confusion when all Lambeth and Southwark have to vote together, or all Marylebone and Westminster! And if, on the other hand, the noble Marquis would have separate polls taken, then the election will be as much in different districts; and there will be just as much confusion that way as if we gave separate Representatives to each of those districts. But the noble Marquis has also said, that he is afraid of an undue weight being given to the Representation of the Metropolis in this House. Now, it certainly does astonish me that any hon. Gentleman should think that the addition of eight Members to the Metropolis can give in this House—which consists of 658 Members—such an amazing increase of influence, as to be a just ground of fear that the Metropolis should possess undue power in Parliament. But the noble Marquis has argued, that, in point of fact, the Metropolis is sufficiently represented by the residence of so many Members in it, and by the presence of all of them during the sitting of Parliament. Now, undoubtedly, this fact does give a full Representation to a certain class in the Metropolis; but that class is an upper class, much of the same rank as the Members themselves; and the influence of which the noble Marquis has spoken does not extend to the middle classes—to those traders and manufacturers who form by far the greatest part of the inhabitants, and possess the greatest part of the wealth of the Metropolis. I should think that no one can contend, that the circumstance of a Member living in Marylebone gives to that extensive parish, and to its different interests, an adequate Representation: the immense population of such a district requires to have Representatives of its own, as much as the inhabitants and traders of any large town in the country. The noble Marquis says, that what he proposes is not against the principle of the Bill. Literally, perhaps, it is not. But it is, at all events, so great an infringement of one of the chief details of the Bill, that I think the noble Marquis's proposition would be most dangerous in its operation. The principle of the Bill is, to give to large masses of the people, and to great portions of the wealth of the country, due Representation; and therefore, if we were to deprive the metropolitan districts of the franchise, it would be at least materially injuring the principle, even though not actually destroying it. I, therefore, trust, the House will stand by its decision of last Session, when the same question was brought forward by the right hon. Gentleman opposite; and when, in spite of the ingeniousness of his eloquence, and all the force of his arguments, the House decided (as I trust they will again this evening) in favour of the Bill as it now stands.

Sir *Edward Sugden* agreed that the principle of this Bill ought to be the due Representation of the country; but, in his opinion, the Metropolis was already sufficiently represented; and, indeed, it was impossible, when so many Members of that House were connected in different ways with London, that its views should not always find their due weight within the walls of Parliament. He was of opinion, that, between the question of the voice of the Metropolis not being sufficiently heard in the House of Commons, and its being too much heard there, the danger of the latter was infinitely the greater of the two. Let them for a moment consider the extent to which the Metropolis would be represented should this Bill pass. The number of its Representatives would, in fact, be twenty-two. He saw that the noble Lord expressed some surprise at this, and he would, therefore, endeavour to prove that he was correct in what he stated. According to the old Representation, there were four Members for the City, two for Southwark, two for Westminster, and two for the county of Middlesex; to these were now to be added, two for the county of Surrey (for, according to the manner in which that county was to be divided, the effect would be to throw the whole of the Representation of one of those divisions into the power of the districts in the immediate neighbourhood of the metropolis), two for Marylebone, two for Finsbury, two for the Tower Hamlets, and two for Lambeth, to which they must also add, two for Greenwich; for, as his right hon. friend had already observed, Greenwich must be looked upon only as one of the metropolitan districts. Thus, the Metropolis would actually have twenty-two Members. But if he were asked, what share the Metropolis ought to have in the Representation, supposing that the whole of the country were equally divided, and supposing that the only grounds upon which they had to proceed were the wealth, the population, and the intelligence of any place, he would at once say, that it ought at least to have fifty Members. Now, what did this show? Why, that it was impossible to take the wealth, the population, and the intelligence of any place as the sole criterion of Representation, and that many other considerations must be admitted into the account. Further than this, he begged to say, that it appeared to him that the state of the Metropolis was not so wholesome and unexceptionable as to induce him to consent to add to the excitement that already existed there. He had often heard the hon. and learned member for Kerry say, that when he began the Catholic Association, it only consisted of seven members; and yet, such was the nature of its object—such was its exciting quality, that he was very soon able to carry the measure that he had at heart, through the agency of that very society. When, therefore, he viewed the spirit that was abroad—when he saw in London a society established for political purposes, and the doctrines that it professed, he could not but doubt whether they might not, by adding to the Representation of London, also add vigour to that association, till at length it should become too strong for the country at large. He thought that one of the principal things which they had to dread was the giving too much power to the Metropolis. They ought not to lessen the influence of the metropolis—indeed they could not do that if they would; but at least let them take care how they made the fate of the country depend on the will of the Metropolis. They had, unfortunately, heard too much of Paris being France; let them, therefore, take warning lest they made London England. But had London hitherto had any thing to complain of? Had not its voice been heard, and its interests attended to? Could any one state an instance in which this had not been the case? He thought not; and why, then, should they lead the way to mischief by bestowing the Representation which was proposed under this Bill. Look at the amount of the population that would be included within, and the number of voters that would be created by, this clause. He did not believe that he stated the former too high at 1,500,000, and the latter at 150,000, for the proposed metropolitan districts would not certainly have less than 20,000 voters each. As he was of opinion that there had for some time existed in the Metropolis, a disposition to overawe the Representatives of the country, he, for one, would never consent to increase its means for more effectually displaying that disposition, which would be the result of bestowing those additional Members. He could assure the Committee, that he had no wish to treat this part of the subject harshly, but he felt compelled to say what he had done, from a strong feeling that the true spirit of Representation was to choose a man on whose honour and integrity the electors could rely, and then to leave him to his unbiassed judgment on all questions that might occur in that House, without desiring to cramp his determinations, or dodge at his heels from day to day for the purpose of dictating his movements. It was his firm conviction, that, by creating a Representation of this character (and he feared the case before them would partake of it), they would not elevate the constituency, while they would degrade the Representatives. In the constituency which they were about to create there was a peculiarity, to which he wished to draw the attention of the House. There were in all the metropolitan districts large plots of ground that were now uncovered, and that were about to be built upon. He would leave the Committee to judge, when these plots should be filled up, what would be the Representation. He would now make some statement with respect to the population and number of houses of the metropolitan districts, and would show the House how much both had increased within the last ten years. In the Marylebone district, there were now 241,000 inhabitants, the addition in the last ten years having amounted to no less than 66,000. A similar increase had taken place in the 10*l.* houses, which, in 1821, amounted to 20,790, but which now were as high as 29,000. In the Tower Hamlets, the population, in 1821, was 264,000, at present it amounted to 302,000, showing an increase of nearly 40,000 persons. The number of 10*l.* houses in 1821, in the Tower Hamlets, was 16,777, but they had now increased to 20,655. In Lambeth, in the same manner, the increase in the population had been 52,000, and in Southwark 10,000; and the increase of 10*l.* houses had in Lambeth been 10,000, and in Southwark 2,385. Suppose a similar increase was to take place in the next ten years, he put it to the Committee to consider what would be the aggregate of such a constituency. In the City of London, again, there had not been, during any time within the last ten years, a greater number than 8,639 voters polled; but if this Bill were passed, the number of voters would be increased by 15,000, independently of the Livery. Such was a part of the mighty change which this Bill would effect. The objection, however, strong as it was upon the statement he had made, was still stronger when it was considered that this did not stand alone, but was only part of a general alteration that was to affect all the portions of the empire. The papers to which he had referred shewed some curious facts as to compositions for rates. The Commissioners stated, that these compositions were invariably made when the landlord or the tenant was unable to pay the rates. Now, as the rates were seldom or ever imposed upon the full annual value of the property, it followed that the parties were obliged to enter into composition for annual payments far below the value of the property—a fact that showed what were the materials of which this 10*l.* constituency was to be composed. There was another passage in the report, to which he wished to direct the attention of the Committee. It stated, that the value of houses in these districts had lately much increased, that the small houses were readily taken, because a great number of the persons who took them, expected to live rent free, by letting off all the rooms in the house except one, which they reserved for their own dwelling. Such was the constituency to which the noble Lord was now about to give the elective franchise; a constituency, a large portion of which, according to this report, would be formed of persons who were unable to pay the rates upon their houses, and who were unable to pay the rent, except they raised it by letting out the greater part of their houses to sub-tenants. Yet it was the Representatives of such a constituency that the noble Lord described as the Representatives of the middle classes. If the noble Lord, however, would introduce such a class of persons into his Bill, it would surely be better to take the first-floor lodger, than the nominal landlord, for the chances were that he was respectable and paid his rent. But there was another point arising out of this part of the subject. It was stated in the report, that "when the landlord compounded for the rates, the occupier was not considered entitled to vote at the election of parish officers, although that election in the particular parish, might be of the most popular description." So that, in matters so immediately concerning the occupier, as the matters of parish government, an occupier of the sort here described, was not, under "the most popular description of election," permitted to vote, while the noble Lord proposed that the same person who could not vote in his parish, should yet be at liberty to vote for a Representative to assist in the government of the State. Then the noble Lord too, gave these persons the means of getting themselves put upon the rates—an opportunity of which they would most certainly avail themselves, solely for the purpose of enjoying the benefit of the franchise. He had only taken those papers furnished by the Government as the data on which he founded his argument. He had not gone at length into the question; but he thought he had said enough to shew that, if, in addition to the two great clauses of disfranchisement, and to the other clauses of the Bill, they introduced a clause giving Members to these metropolitan districts, they would be doing that which could not fail of being infinitely mischievous.

Mr. *Macaulay* felt unwilling to occupy the time of the House upon this subject, after the observations which he had thought it his duty to make in the course of the last Session. But the extreme solicitude he felt on account of the importance of the question, and of the peculiar circumstances under which they were called on to discuss it, compelled him to make a few observations on the subject. In that, as in every other place, the first grand object in the discussion of these questions was, to clear the ground, and settle upon whom lay the burthen of proof. It was his opinion, that the burden of proof in this instance lay upon the Opposition. He considered that he was speaking to a House of Reformers—there might be one or two exceptions; but the great body on that and on the other side of the House had, he believed, agreed that some change in the Representation must take place. He did not assert that every individual in that House entertained that opinion; but he could not avoid taking it for granted, that the great majority of the Opposition did; for he was warranted in saying, that, in a great majority of the speeches they had delivered, they had admitted the necessity of some change. If he did not entertain the opinion he now expressed as to their sentiments, he must put aside all the addresses sent up from the country by the noblemen and gentlemen who, in their different counties, had opposed this measure of Reform, but all of whom had said, that some change was necessary—that some Reform must take place—and that some large bodies of people must have Representatives given to them. If the fact was as he had stated, they on the side of the House on which he sat proposed that, as part of the large communities entitled to Representation, the metropolitan districts should be represented. If enfranchisement ought to be part of the Reform that the times required, and that Gentlemen opposite admitted to be necessary, it was for those Gentlemen to shew why the places now proposed should not partake of the advantages of enfranchisement. He was aware that they had no precise standard by which to determine what were the towns that should receive Representatives. He should use the word importance, to constitute that standard; for though it was possible to raise quibbles upon it, none could possibly deny, that, if they were compelled to bestow representation on one of two places, they would rather bestow it upon a town like Manchester than upon a petty village, and their choice would be guided by the greater importance of the place selected. If they took the amount of population as the standard of importance—if they adopted that of the number of 10*l.* houses—if they took the amount of the assessed taxes—if they took the wealth—if they adopted intelligence as their criterion—indeed, estimate it as they might, let them take any combination of arithmetical figures that they pleased—let them multiply or divide—let them subtract or add—let them adopt the course pointed out by Lieutenant Drummond, or that of the hon. Member who proposed to decide the question by the square root of population and taxes—in short, let them take whatever course of arithmetic they pleased, there was none from which these metropolitan districts would not come marked with the proofs of a most undoubted importance. If they took population, wealth, and intelligence, as the standard by which to measure their decision, fifty would be a more proper number of Representatives than eight to give to these districts. That was a fact recognised by the hon. and learned Gentleman himself. It was admitted by all hon. Members that, in all these elements of fitness for the formation of a constituency, the metropolitan districts stood higher than any other. If so, it was for those who wished to withhold the enfranchisement to give the reason why it should be withheld. The noble Lord had offered some reasons for refusing the Members to these districts, which reasons the hon. and learned Gentleman had most elaborately exerted himself to upset. What, said the hon. and learned Gentleman, will you let loose 150,000 voters—will you give the rights of franchise to such an immense body? Yes, said the noble Lord, I will add Marylebone to Westminster—I will give the Tower Hamlets and Finsbury to the City, and Lambeth to Southwark. Yes, they who had talked so much of swamping constituencies—who had exclaimed so loudly against such a course—who affected so much dread of a large constituency—actually proposed to swamp Westminster with Marylebone; to swamp the City with Finsbury and the Tower Hamlets; and to swamp Southwark with Lambeth; and that, too, although at the same time they described the present constituencies of each of these places as sufficiently numerous. What, were they not afraid of the unhealthful state of the metropolis—of the agitation excited by elections among such very large constituencies? No, they seemed to be afraid of none of these things when they made the proposal. Of what, then, were they afraid? Of eight Members. Simply of eight Members—that must be the cause of their fear. But the fear was still more remarkable, for the noble Lord proposed to add two Members to Middlesex; so that it might be said, that the noble Lord feared six Members—a number not so great as was returned by some individual Peers under the present system to that House. The only argument against giving Representatives to the metropolitan districts was, that the Members would be called to a very strict account by their constituents; that they would not speak their own sense, but merely the fluctuating sense of those who sent them as their Representatives. But that argument applied as strongly to the instances of Members returned by individuals. He did not understand the grounds on which those who represented the submission of Members to be called to account by a numerous constituency as a disgrace, while they thought it a point of honour to submit to the same strictness of account to an individual. He did not understand that spirit of honour that could lick the heels of an oligarchy, while it spurned at the wishes of the people. He did not understand that point of honour which made a man boast that he had gone out of his seat because he had voted in a particular manner against the wish of one man, his patron, while he taunted another Member for quitting his seat solely because he had offended 12,000 persons. But supposing this strictness of calling to account to be an evil, was that evil confined to the metropolitan districts? Certainly not. During the discussion on the Catholic Claims there were many Gentlemen who disguised their opinion—who compromised their real wishes and feelings—for fear of offending their constituents. He did not understand on what ground they were more afraid on the subject of the influence to be exercised by the constituency in the metropolitan districts than in other large towns. He knew an instance of an individual who declared that there were many Gentlemen who said on that occasion, that they could not vote for the Catholic Question, if they wished to retain their seats. That, however, was not the evil of popular Representation alone. It was the fault of all Representations, individual and numerous. To suppose otherwise would be to manifest an ignorance of human nature. But the great argument really was, in plain words, a dread of the preponderance of the people. There might be some evil in that; but if it was an evil, it was one which this Bill would not increase. It had always been found that a great city exercised an influence over the empire of which it formed a part, but that influence was not connected with the number of Representatives it possessed. It might, indeed, exist without the city having any Representative at all, and was no where so great as under arbitrary and despotic Governments. It was unnecessary to remind the House that at Rome the despotic emperors, while they exercised the most unbounded, and the most brutal tyranny over the people, yet thought it necessary to conciliate the populace with expensive shows. At Madrid, under their tyrannical government, the mob often compelled their despot king to promise the dismissal of an obnoxious Minister; they had done so in the reign of Charles 2nd, and again in that of Charles 3rd. They had risen in the streets; surrounded the palace of the king; compelled him to appear on the balcony, and to promise them all they demanded. That had nothing to do with the share which the people of Madrid had in the Cortes. If there was any country in which the people exercised a morbid influence over the government, it was in Turkey, in despotic Turkey—even there, where reigned the most absolute, the most unmitigated despotism, the most iron-handed tyranny, the Sultan was often forced to sacrifice his ministers, and obey the will of the people living in the neighbourhood of the Seraglio. That was an influence which nothing could take away but an earthquake like that of Lisbon. That species of influence would always be possessed by London, and nothing would remove it but such a fierce and dreadful calamity, as that which in a great degree overwhelmed this great city in 1666. But did the noble Lord propose to take away that influence? The noble Lord knew it was impossible. From all time the City of London had been of great importance in the struggles of party and of the people; and it had generally, by the force of its power, decided those struggles; but it would be absurd to think of making a law to regulate a power which was only to be dreaded when all law was at an end. As long as the rule of law continued, the power of London would only consist of the number of votes it had in that House. When law was at an end, the power of London would consist of 1,500,000 persons, and of that power there was nothing to deprive it. As long as regular Government existed, the metropolis was, in fact, weak; but when the course of regular Government was disturbed, the metropolis possessed, and could employ, a vast and overwhelming force. But the noble Lord proposed that which would, in fact, increase the danger, for he would refuse to the metropolis all votes whatever. Without recurring to the speeches of any democratic orator, he could show the danger of this refusal, by proving the advantage of the concession. He would refer to the speech which Mr. Burke delivered on the question of conciliation with America.* In that speech it was said by Mr. Burke, after referring to the dissensions that had existed in Wales, "A complete and not ill-proportioned Representation by counties and boroughs was bestowed upon Wales by Act of Parliament. From that moment, as by a charm, the tumults subsided, obedience was restored, peace, order, and civilization followed in the train of liberty —when the day-star of the English Constitution had arisen in their hearts, all was harmony within and without—

> "Simul alba nautis
> Stella refulsit,
> Defluit saxis agitatus humor:
> Concidunt venti, fugiúntque nubes:
> Et minax (quòd sic voluere) ponto
> Unda recumbit."

He had mentioned Madrid and Constantinople; but London differed from those cities in this respect, that the population of London had never assembled round the palace of the Sovereign, demanding the punishment of an obnoxious Minister." He repeated it—the population of London had never done this, at least in his memory. He had, indeed, seen the people assemble round their Sovereign, with the warmest expressions of a sincere attachment. The people of London were orderly; but exactly as he believed them to be more orderly than the people of Madrid or Constantinople, because they had better modes of expressing their opinions, so did he believe, that the people of represented London would be more quiet than the people of unrepresented London. The cause of all commotions in States had been, that the natural and artificial powers did not correspond with each other. That had been the case with the governments of Greece and Italy. It was no new principle—it had been laid down by Aristotle—it had been maintained and exemplified by Machiavel. Its effects in the earlier ages were well known. In the last century it had produced the French Revolution; in this the cry for Reform. The danger was in struggling to resist that alteration which had been rendered necessary by the altered circumstances of the times. That danger this Bill was intended to rectify. It gave to the people a place in the Government like that which they must have in society; and was it not a most monstrous argument to say, that, because a great natural power existed, it should have no political power associated with it? Was it for them to create dissension where none had yet appeared? This Bill was meant to be a great deed of reconciliation; would they deprive it of that character; would they make it produce heart-burnings instead of peace, dissensions instead of reconciliation and harmony of feeling? It was the object of the Government to frame this measure so as to be final—as final as any human measure could be. Would they be the first to deprive it of that character—would they make it short-lived? Was it to be the first business of the reformed House of Commons to discuss a new measure of Reform? The hon. Gentlemen opposite had frequently predicted that this settlement of the Reform Question would not be permanent; and they were taking the greatest pains to accomplish their prediction. He agreed with them in their dislike and dread of change, as change, and he was prepared to bear with many anomalies, many practical grievances, rather than venture heedlessly on political alterations: but when a change had become absolutely necessary, as undoubtedly it had at present, then his opinion was that it should be full and effectual. It was dangerous to change often. The Constitution was more injured by being frequently tampered with than by a great revolution. If no Members were now given to the metropolitan districts, they would be demanded with clamour, and by that very people of whom the noble Marquis was so much afraid, in the first Session of the next Parliament. If Gentlemen believed, as they professed to believe, that the new Parliament would be more democratically inclined than the present, they must expect that it would not resist the demand, and that the alteration would be larger. The question, then, was, whether they should pass the Reform Bill, not without anomalies, for no measure could be without them, but in such a state as was sure to engender dislike and discontent in a large and influential body of voters. Ought they to frame it so as to outrage the feelings of those it professed to conciliate, and continue the abuses it proposed to destroy? He would support the proposition to give Members to the metropolitan districts, not only because Members ought to be given, but because the majority of that House were now on their trial before the country, and it was for them now to prove whether they were sincere or not; whether the pledge they had given in last October—to support the principle and the leading details of the Bill—was now to be redeemed. The question was not only whether the metropolitan districts should have eight Members or none, but whether they would carry the Bill or compromise it; compromise that to which they had pledged themselves, in order to gratify those, who, finding it impossible to throw out the Bill, resolved to fritter it away. He called on them, for God's sake, to be firm. The hon. Gentlemen who sat in that House for Ireland, would not suffer those who, in the last Parliament, had deprived them of five Members, to flatter them into the belief that, by voting against this proposition, they would secure even a single additional Member for their country. But all the hon. Gentlemen who heard him, whatever district of the United Kingdom they were connected with, on this occasion owed a solemn duty to their country; as they performed that duty, the confidence which they had justly earned would be confirmed or lost; and, on this occasion, it was perfectly and completely true, that he who was not with them, was against them.

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* Hansard's Parl. Hist., vol. x p. 513.

Sir *George Murray* said, there was one part of the speech of the hon. and learned Gentleman who had just sat down with which he entirely concurred, and which he was glad to hear. He alluded to that part in which the hon. and learned Gentleman said, he would rather submit to inconvenience and anomalies than venture upon great changes. He thought the present occasion, however, rather inauspicious for such a declaration, for of all the clauses in the Bill the one then under consideration appeared to him the most likely to commence a career of change of which no man could see the end. He had always felt that the great principle on which the Bill was founded was pregnant with change, but more especially so because that principle, after being avowed, had not been carried into fair effect, or fully worked out. As the Bill would leave masses of people equally entitled to a share in the direct Representation with those who upon that principle were by the Bill to elect Members, they must expect frequent demands for Representatives, and consequently the measure could not be final. He apprehended that a similar objection applied to the method which had been adopted with regard to the selection of boroughs which were to return Members, as there were many places which by the Bill were not to have the privilege of electing Representatives, which were much more important, and contained all the elements of Representation in a greater degree, than boroughs that were to continue to enjoy Representation, or who were to have the franchise now extended to them. But his first objection to the clause then before the Committee was that it was not requisite. There was no portion of the community which possessed such great advantages as did the inhabitants of the metropolis in all matters connected with Representation. The inhabitants of the metropolis had the greatest possible facility of access to all branches of the Legislature, but especially to the Members of that House, a large portion of whom had an actual and close interest in its protection and welfare. Many Members of that House were connected by property, and in a variety of other ways, with the metropolis, and, therefore, gave to it full and efficient protection. He denied that the hon. and learned Member had any right to call upon those who opposed the projected change to show that it ought not to be made. Those who proposed it ought to show that it was required, and this they had not yet done. But he would, nevertheless, state his reasons for objecting to it. As the Bill stood, the clause under consideration went to introduce a new constituency. He wished to speak with all proper respect of the 10*l.* householders in the metropolitan districts. But it was a well-known and notorious fact, that those persons were of an inferior station in life to 10*l.* householders in most country towns. Those householders would have an immense influence in the election of Members, and, therefore, he concluded that the Members for those districts would be compelled to support the extreme popular opinions which might prevail at a particular moment. He was very far from wishing that public opinion should not have its due influence upon the Legislature; but he should like to see that opinion come like the light, gradually diffusing itself, and not coming, as it would if this clause were adopted with respect to the metropolitan districts, in passion, prejudice, and mist. Thinking, then, that the metropolis did not require any addition to its Members, and thinking also, that the proposed addition, which should be considered not merely as eight Members, but as an addition to the old number, which would form a phalanx of twenty—a phalanx not merely sufficient to annoy and perplex a Government, but to affect and disturb the whole country, especially when it was remembered, that these twenty Members would receive, in all probability, their instructions from some Committee, who would call upon them to account for their conduct day by day. For these reasons, he felt it to be his duty to oppose the clause, and to express his conviction, that it would give to the metropolis a greater power in the Representation than would be possessed by the whole of Scotland. He admitted that democracy was the source of liberty, but that was no reason why that source should be swelled till it burst; for if it were swollen, it would overflow and destroy its barriers. The great danger of the Bill was, the power it would give to democracy. It would give to that House the whole of the power of the Legislature. That he conceived to be the fact; and what had ever been the result of unrestrained or predominant democracy. Throughout the page of history, one common consequence was found to be the end of democracy—destruction. The hon. and learned Gentleman had appealed to history, and he would ask him again to consult it What had overthrown Athens, Rome, and, in modern Italy, Florence? Why, democracy. That party in the State which had presumptuously arrogated to itself the exclusive merit of being the friends of the people had first wrecked the liberties of the people, and then delivered them up to the iron hand of military despotism. That power which, with feet of clay and hands of iron, trampled on the liberties of the people, and dissipated their property and their life, was the child of democracy; and when the hand of Brutus cut it down, its roots were still cherished by democracy, and it soon again sprung up in increased vigour. These were the reasons why he dreaded democracy. He loved liberty as much as any man, and he wished to see the people of this country in the possession of as much and as full liberty as they could have, consistently with the continuance of the Constitution; but he considered that the people were in reality injured, when every thing which they asked, at every moment, was given to them, and even more was offered to them than they thought of requiring. By giving so large a number of Members to the metropolis, a great injury would be done to the remote parts of the kingdom. While they squandered Representatives away upon the metropolis, which was already fully represented, what was the state of Ireland and of Scotland? In Ireland, great masses of population were left with, at best, but a scanty Representation. He should not presume to attempt to advocate the cause of Ireland. He knew that that country had many able and diligent Members, who would protect its interests with far greater ability and greater influence than he could hope to exercise; but still he might say, that no man breathing took a deeper interest in the welfare of Ireland than he did. When he came to look at the share of Representation which his own country was to possess, he found reason for nothing but complaint. Let the House look to the facts, and then say, whether it would be justified in giving these eight additional Members to the metropolitan districts. In the county of Aberdeen there was a population of 177,600 souls, and the Members allotted to that county under the Bill was two Members and a quarter. No one, surely, would deny, that there was property and intelligence in Aberdeenshire, and yet two Members and a quarter were the number allotted to it. And how did that proportion show when placed beside the Representation of an English county with an almost equal population? In the county of Northampton, for instance, there was a population of 179,000, but then that county had eight Members. Why was there that difference? If this Bill was to be final, and population and property were to regulate the Representation, why should there be so great a difference between an English and a Scotch county, of about equal pretensions and claims? But was that a solitary difference? He would take another county—he would take the county bordering on Scotland (Northumberland), which had a population of 169,000, and, under the Bill, would return nine Members. The hon. Member talked of the Bill being final, but he again asked, if it were possible so partial a measure, judged upon its own avowed principles, should prove final, while, at every step, it created discontent. But, to look at other counties in Scotland—in Argyleshire there were 101,000 inhabitants, and the number of Members allotted to that county was one and a quarter. But what was the fact with respect to a county in England of about or nearly the same size? In Herefordshire the population was 110,000, and the number of Members it was to return was seven. But was this difference between the English and the Scotch counties only? Let him refer to the Welsh counties. In Carmarthenshire, there were 100,000 inhabitants, and it was to have three Members, while Argyle was only to have one. It might be tedious for him to go further into detail; but he would just advert to the county which he had the honour to represent. In Perthshire, there was a population of 142,000, and it was to have two Members—one for the county, and one for the city of Perth. How stood the English counties with a nearly equal population? In Berkshire, the population was 145,000; and what number of Members were to be returned by that county? Why, ten. In the next county, Buckinghamshire, there was a population of 146,000, and that county was to return eleven Members. In Cambridge, there was a population of 142,000, and that county was to return five Members, besides two for the University. Nor was that all; Rutland, with a population of 19,000 persons—one-seventh of the population of Perthshire—was to return precisely the same number of Members as Perthshire. It was quite impossible for him to give his vote for any measure so grossly, palpably, and unnecessarily unjust; and he felt it to be his duty to take that opportunity of stating these objections, when he was called upon to give additional Members to a portion of the community not at all requiring them, and which, in fact, was already amply represented and protected in that House.

Mr. *Charles Grant* did not agree with the right hon. Gentleman who had just sat down, that this was the time for the discussion of the Representation of Scotland. The right hon. and gallant Baronet, in a disquisition upon the causes which produced the decay of nations, said, that democracy had caused the destruction of Rome. It was true, indeed, that Gentlemen frequently viewed things through peculiar media, and he could not express surprise at the view which the right hon. Baronet had taken of this subject. At the same time, he could not concur in his opinion, that the destruction of Rome had been occasioned by democracy. According to his reading, history had told us far otherwise. Indeed, it appeared to him to be unjust and illogical to attribute the decay of a nation to any one particular cause. But, still, he thought, that the decline of the Roman power had mainly been caused by military despotism. An hon. and learned Gentleman (Sir Edward Sugden) had objected to an increase of the Representation of the metropolis on account of the political feelings which at present prevailed in it, and on account of the existence of the Political Unions. To him, on the contrary, those circumstances seemed to furnish the most convincing proof of the necessity for giving the metropolis an extended Representation. The hon. and learned Gentleman had, singularly enough, taken the case of the Catholic Association to illustrate his argument. He (Mr. Grant) would adopt his illustration, but he must apply the example very differently, and would remind the House, that, when the grievances which gave existence and influence to that association were removed, the hon. and learned member for Kerry himself declared, that its functions and its powers had ceased. Another argument of the hon. and learned member for St. Mawes was—not that the metropolitan districts were in a state of decay, and that, therefore, they had no claims to be represented, but that they were in a most flourishing state—that they were advancing in population, in the amount of their taxation, and in every thing which could indicate the increase of their wealth and importance. So far was he from thinking with the hon. and learned Gentleman, that that was an objection to their being represented, that he looked upon it as one great reason for giving them an increased Representation. It had been said, that those who were desirous to give additional Members to those districts were bound to prove that there existed an imperative necessity for doing so. But it was enough for him to show, that their doing so was no departure from the principles or practice of the Constitution. By the practice of the Constitution, this metropolis had, at all times, had a predominant Representation, and its principal districts had been regarded as several cities, entitled to a distinct Representation. If it had been proposed by his Majesty's Ministers to leave the metropolis in the same state in which it had hitherto stood, in respect to Representation, and if, whilst additional Members were given to other great towns, none were given to the metropolitan districts, he was sure, that his Majesty's Ministers would have been assailed with remonstrances and reproaches from the other side, for having departed from that which had been ever the invariable practice of the Constitution. The house would have been told again and again, that the metropolis had always had a Representation superior to that of other parts of the kingdom ; and it would have been asked, with indignation, why was the Representation of the capital to be degraded, by Members being given to places which had never before been represented, the Representation of London not being proportionably increased? The House would have been called upon to look to the extent of the population of London, which was involved in this question ; and it would be asked, why had his Majesty's Ministers wronged that extensive and wealthy and intelligent population, by departing from the principles and practice of the Constitution? Such would have been the arguments of the other side, if Ministers had not given Representatives to those districts. It had justly been said, in reference to other arguments against this measure, that they applied not so much to the Bill itself, as to the situation of the metropolis generally. The House had been told, that the metropolis would overawe the rest of the community. Now, was it by means of the fifteen or sixteen Members that it would be enabled to do so? For his part, he did not think, that the experience of past years had shown, that the members for the city of London would act together in a confederacy for the attainment of a common object; on the contrary, they had each pursued a different course of policy. But if there did exist any danger of such a combination, it would not be diminished by confining the Representation to the eight Members which the Metropolis at present sent to that House. For these Gentlemen were the Representatives of a smaller portion. They were, therefore, the more likely to feel in common, and to act together, than the Representatives of the other districts, which had no identity of interests with one another. It would not be pretended that the interests of Marylebone were identical with those of the Tower Hamlets, or the interests of the Borough the same with those of the West End. It was not to be supposed that the inhabitants of those parts of the metropolis, whose chief commerce was inland, and which were in the closest communication with the interior of the country, should have the same views and interests as those engaged in the great external commerce which was carried on in the parts of the metropolis which had hitherto been represented. The Representatives of those districts might occasionally act together, as do sometimes the Representatives of the several towns of one county; but that they would act together, and invariably for one interest, distinct from that of the rest of the kingdom, was contradicted both by experience and reason. There was another of the hon. and learned Gentleman's arguments, which was of a general nature, and did not apply to that Bill: that the House of Commons held its sitting in the centre of the great population which was to have additional Representatives. But he could not see what danger there was in that—he could not see how it was to influence the deliberations of the House. But if there were any danger in it, how, he would ask, was that to be avoided or removed? Was such a danger, if it existed, to be removed by telling the people, that, after having held out to them the expectation that they should be represented, the House repented of its promise, and having raised their hopes, would not give them their just share of Representation. This appeared to him to be an additional reason, besides the justice of the case, why the House, having once offered them the boon, should not dash it from their lips.

Sir *Robert Peel* congratulated his right hon. friend—and he assured him he congratulated him unfeignedly—on the recovery, after so long a silence, of that eloquence with which he had often delighted the House. His right hon. friend was disposed to contend that, in founding a new system of Representation, his Majesty's Ministers were not bound to state the reasons upon which they founded it. He could not but think that it would have been safer for his right hon. friend to have adhered to that prudent reserve, and not to have condescended, out of the abundance of his reasons, to have favoured the House with that one argument which he declared to be most just and unanswerable. The argument which his right hon. friend deemed so convincing was this, that, whereas London had always had a preponderance in the Representation, therefore it would be an insult to the Metropolis—seeing its advance in population, wealth and commerce—not to give it an increase of Representatives, when Members were given to places heretofore unrepresented. But he was sure that his right hon. friend was too just to confine his principle to London, and to deny that, if London had such a claim, in consequence of its increased importance, other parts of the kingdom were also entitled to an extended Representation, on the same account. Take the case of two of the most considerable towns in his Majesty's dominions—Liverpool and Dublin. If his right hon. friend was borne out in the position that, according to reason and the Constitution, those places which formerly held a preponderance in Representation over others to which they were superior in population and importance, should now receive an increase of Representation proportioned to their increase of wealth and population; then he would take Liverpool, for instance, and would ask, what had his Majesty's Ministers done in respect to that town? He found that, in ancient times, that place had two Representatives, the same number as either Tamworth or Calne—places, possibly, at some remote period of history not inferior to Liverpool. But Liverpool had since increased beyond example. It was now a great commercial town, of far greater importance than either of the others, and it had held out to all other places a glorious example, not only of commercial enterprise, but of the advancement of science, and the cultivation of the liberal arts. Well, what had been given to Liverpool? Calne was still to have two Members, and Liverpool was to have no more. It was childish, he apprehended, to argue, that because London was the metropolis, that therefore it ought to be treated differently. He supposed his right hon. friend never meant to assert such a proposition, that, because the population of London had been increased, its Representation should be increased also, on the special ground that it was the metropolitan city. [Mr. *Charles Grant*: "Yes."] Well, then, he would try the argument of his right hon. friend further. He never understood that, because a Member represented London, he was entitled to more weight and consideration than another, representing a distant city. He knew of no pre-eminence enjoyed by the members for London, save, indeed, that high privilege of being entitled once in every Parliament, to sit at the right hand of the Speaker. That ceremony done with, he had always thought that all Members stood there as equals, and that the vote of one was as good and as potent as the vote of another. It appeared, however, that he was mistaken. But if that was the case, did it not rather furnish a reason against increasing the number of Representatives for London? But he would repeat, if the districts around the metropolis were to have additional Members, why was Liverpool restricted to the number of two? By the Bill, two Members were given to other places not to be compared to Liverpool in any manner whatever. But had Liverpool even retained its two Members. Had not other districts been included within that borough? It had been said by an hon. Gentleman, that Toxteth-park, in its vicinity, was a small place, and unworthy of consideration. It contained, however, no fewer than 26,000 inhabitants. Then the case of Liverpool was this—that the number of Members remained the same, but the district returning those members was greatly enlarged. Had then the same principles, the same measure of justice, which was applied to the metropolis, been applied to Liverpool? The answer was, "no: but then, Liverpool is not a metropolis." A bad answer in the case of Liverpool. But a much worse in the case of the next city he would name—the city of Dublin. Here was a metropolitan city; but you had denied her this advantage, which you pretended to be specially due to a metropolis. Belfast had one Member only before the present Bill; so had the city of Limerick, so had the town of Galway, and the city of Waterford. Dublin had two Members. Dublin had increased in population, wealth, and prosperity. They were about to give an additional Member to each of the places he had just stated, viz. to Belfast, Limerick, Galway, and Waterford; but Dublin was to remain without addition. According, therefore, to the argument of his right hon. friend—the unanswerable argument as it was called—Dublin being a metropolis, was degraded and insulted. Let it not be supposed that he (Sir Robert Peel) admitted the justice of the argument. Far from it. He as much denied that it was an insult to Dublin to increase the Representation of Cork, without increasing the Representation of the former city, as he denied that it was an insult to London to increase the Representation of Manchester, without adding to the Representatives of the metropolis. He only wished to show, that the argument of his right hon. friend was not unanswerable, and that if it were just, it would apply equally to twenty other places as to London. He would now proceed to notice the speech of the learned member for Calne—a speech which contained many arguments, applicable rather to the general measure, than to the immediate question, and as he had no wish on the present occasion to involve himself in a general discussion of the measure of Reform, he would only notice such arguments of the learned Member as related to the question before the House. That learned Gentleman assumed, that the Reform Bill would insure the happiness of the country, by making the form of the Government more democratical. If that assumption, respecting the effects of the whole measure, were well founded, he should be prepared to admit, that it was expedient to give additional Members to the metropolis. But he did not admit the truth of the assumption. He denied, that the principle was established that the happiness of this country would be extended by making the form of the Government more democratical. The learned Gentleman laid down his position broadly and without reserve or qualification, and he must contend, that consistently with that position, a monarchy could not be defended or maintained. His attachment to monarchy was a rational attachment, founded on the conviction that where it controlled the democratic principle, it controlled it for the benefit of the governed—that secured as it was from encroachment and abuse, by a system of reciprocal control—a limited monarchy gave a stability to Government, a defence equally against popular violence and military despotism, and a protection to regulated freedom which no democratic form of Government could permanently afford. No increase, therefore, of democratic power which trenched upon the authority of the Crown, could be, in his opinion, for the benefit of the people, however flattering to their vanity. He would dwell no more upon that argument, as it applied more to the principle of the Bill than to the particular clause under discussion. In reference to that clause the learned Gentleman had said, that if the House did not grant the increase of Representation to the metropolitan districts, the first act of a reformed Parliament would be to grant it. But why should it be the first act of a reformed Parliament to grant it specially to them, when it could be shown that many other places were equally entitled to an increased Representation. Why should they be selected for the especial favour of the reformed Parliament? Was it on account of their vicinity to the House, that this favour would be granted? Was it on account of the greater facility which they presented of bringing the influence of aggregate numbers to bear upon the deliberations of the House? If it was, might there not be reason to apprehend that the influence of their Representatives backed by a similar support of vicinity and numbers would be unduly great? But the hon. Gentleman said, that it was necessary to give those new Members to the metropolitan districts, because Representation would operate as a safety-valve against disorder. He begged to ask the House, if facts bore out that assertion? Before it was taken for granted that Representation conceded to large bodies of men congregated together in towns, would operate as a safety-valve to disorder, it ought to be inquired whether that assertion, however plausible it might seem, was borne out by experience. Look to Paris, which had a great preponderance in the Representation of France. Was that city remarkable above the other departments for its order and tranquillity? The Department of the Seine sent fifteen members to the Chamber of Deputies; but he could not find, that, in consequence of its enjoying so large a share of the Representation, Paris was more quiet and free from political excitement and disorder than the rest of France. He was not speaking of the old despotic periods, when the Bourbons ruled with absolute power, but he was speaking of recent times, and he could not find that the tranquillity of Paris, as compared with the rest of France, had been in proportion to the greater share which it possessed in the Representation. Turning to the history of this country, and looking to the most memorable riots that had occurred here, although London had stood pre-eminent in the Representation, he could not find that it had been pre-eminently tranquil. Looking to the riots which took place in the year 1780 and 1815, he could not say that Representation had acted as a check upon disorder. In fact, religious or political excitement would always act upon large bodies of men, unabated by any consideration that they were represented, because such a consideration never occurred to them whilst under the influence of the excitement. Much of the argument in support of the proposition upon which the House had that night to decide, rested upon the assumption that the existence of Representation, and of an extended right of suffrage, prevented disorders. He would beg of the House to advert to some facts which must have come recently within their observation—and which seemed certainly at variance with the theory. There had been of late three Special Commissions, for the trial of persons charged with serious outrages against life and property, and those outrages were the offspring of political excitement. Were the towns which had been disgraced by them large unrepresented places, driven to madness by the withholding of their franchise? No such thing. The towns—the only towns in which disorder had prevailed—the only towns to which Special Commissions had been sent—were three towns, Bristol, Nottingham, and Derby—which had the safety valve—viz., the right of Representation, and yet were the sole sufferers from explosion. He could not, therefore, concede as a matter of course, in the face of such facts, that Representation would be efficient as a remedy for popular disturbances. Did he, therefore, regard the right of sending Members to Parliament as a right that ought to be abridged? On the contrary, he was quite of the opposite opinion. All he meant to contend for was, that an extended right of suffrage was not a certain cure for the spirit of disorder. Indeed, in the case of Scotland, they had another proof to the contrary. In Scotland up to the year 1831, there was the greatest order concurrent with the least popular right of election. He now came to a consideration which he deemed of much importance, and to which he should beg the especial attention of the House. He would assume that the principles of Reform, as recognised in that Bill, were such as ought to be adopted by the House. He would assume—than which nothing could be further from the truth—that the Bill was, generally speaking, calculated to carry the sound principles of Reform into beneficial effect; but did it, therefore, follow, that consistency required that every Member who gave a general support to the Bill should, therefore, vote unconditionally for the metropolitan clauses? The matter resolved itself into two questions, different in themselves. The first question which required consideration was, whether it was right to give these additional Members to the metropolitan districts? The second question for consideration was, whether, in the event of their deciding that it was right to give those additional Members, the constituency, as laid down by the Bill, was such a one as ought to be adopted? With the additional Members the metropolitan districts would have no less than twenty-two Representatives, including those for the county of Middlesex, and for Greenwich—a number which he conceived to be enormous. It was a number out of all proportion to the other parts of the kingdom. A very small degree of reflection would enable the House to see the mode in which the influence thus created could not fail to act. These two-and-twenty Members would first have the advantage in all probability of being resident on the spot—they would also, during their attendance in Parliament, be in constant communication with their constituents—under the immediate force and control of their influence. Thus would there be in that House a body of two-and-twenty individuals, with every facility for combination, and with every means of acting in that House upon the immediate, and, therefore, ill-considered commands, of their constituents out of doors. It must be obvious to all who heard him, that the Members returned to sit for the metropolis would represent a political, rather than a manufacturing or commercial interest, and that political interest in general, a popular or democratic interest. The moral influence of those twenty Members representing, as it were, the seat of Government, and deriving increased power from daily contact with the masses of whom they were the delegates, would far exceed the influence of twice the number of Representatives sent from remote agricultural districts. It was said, that the same principle of qualification which was applied to the metropolitan districts was also applied to the smallest borough which had escaped, and barely escaped, schedule B—and such was the fact. But, though it was the same principle in name, he should in a short time clearly prove to the House that it was not in reality the same. Where it was perfectly safe to extend the constituency, there the Ministers had curtailed it by this Bill; and where it was dangerous to extend it, in those places had they extended it. The 10*l.* voters in the country were not liable to be drawn into combinations, nor were they liable to be swayed by the daily influence of the Press, as they were in large towns. In the country districts, the house rented at 10*l.* was a house of a much better description than the House rented at the same sum in a large town. If, in the country, 10*l.* rent was the fit minimum of qualification, a much larger amount should be the minimum, in the large manufacturing town. But, comparing the metropolitan districts with large, nay, with the largest towns, he should contend, that, on the principles of this Bill, the constituent body established in those districts was manifestly too numerous. It appeared, from the papers on the Table, that the estimated amount of the constituency of twenty-six of the largest places enfranchised by this Bill, was, for the whole, about 50,000. The probable number of qualified voters in the metropolitan districts alone, appeared to be not less than 59,000. In order to prove how totally different was the 10*l.* franchise—though nominally the same in the London districts and the country towns, how much more popular was the right of voting, conferred by that franchise, in the one than in the other, he would call the attention of the House to seven of the boroughs in the agricultural districts, and, in order that no unfairness might be imputed to him in the selection, he would take the first seven in the list. In Abingdon, the first in the list, the number of houses were 1,114, while the number of houses above 10*l.* value was only 154, being about at the rate of seven to one. In Barnstable the proportion was about two and a half to one. In short, upon the whole seven towns the average proportion was about eight to one. When, however, he looked to London, he found a most extraordinary difference, which would clearly show that a 10*l.* franchise in the county towns was far higher than a 10*l.* franchise in the metropolis, and that, therefore, the Bill would give a much more extensive franchise in the great towns than it would give in the small boroughs. He would, in the first instance take the population returns of St. Giles's, Bloomsbury, for the year 1831, by which it appeared that the total number of houses in that parish was 4,456, or, deducting uninhabited houses, 4,025. The House would, of course, believe, from these returns that there could not be so many voters; but what was the fact? There were actually more. The rate-payers amounted to 3,337, the houses compounded for to 436; which, with the other persons entitled to vote, according to the paper which he held in his hand, would give no less than 4,280 voters. In the next parish there was a confirmation of the extent to which the suffrage would be extended by this Bill. Indeed this suffrage was greater than if Univeral Suffrage were given to all householders. St. Andrew's, Holborn, and St. George the Martyr, contained 300 houses, of which there were not fifty under the value of 10*l.* Paddington contained 1,126 houses, while the number of persons rated as occupiers were no less than 1,329, being no less than 200 more than there were houses in the parish. It was said, that this was a mistake, and that the papers were wrong. If so, he would reply that Ministers had no right to call upon them to legislate upon papers confessedly erroneous. St. Pancras exhibited the same result. It contained, by the return, 8,424 houses. The houses rated below 10*l.*, but which, being worth more, conferred a right of voting, amounted to 504, while the actual rate-payers amounted to 7,998; thus giving to 8,424 houses no less than 8,502 voters. Did not this prove that they were giving a more extensive right of voting than if they had at once extended the franchise to every householder? He would ask the supporters of the Bill, if they were sure that they could, by means of it, rally round them the middle classes of the metropolis, and not the numbers, as he would call them, in contradistinction to its wealth and respectability? He thought it was wrong to give so many as twenty-two Members to the metropolis; but, if they had made up their minds to do so, he still called upon them to consider well before they determined upon the class of persons they should select as a constituency. He called upon them not to select persons for the exercise of the elective franchise whose landlords they compelled to compound for the rates of the houses occupied by such persons, on account of their poverty. These were matters of great importance, for, if the House should come to an unwise decision upon them, the step would be irrevocable. Should this measure pass, there would come hereafter such a pressure upon their doors as no internal strength could resist. Should they on this occasion act unwisely in their decision, did they imagine that they could retrace their steps? The difficulty of retreating would be tenfold greater than that of pausing and anxiously considering before they granted such a franchise; a franchise, in his opinion, little qualified to ensure the Representation of that which ought to be represented—the property, the intelligence, the commerce, the honour, and the character, of this great city.

Mr. *Charles Grant*, in explanation, said, that he had contended that it was usual for the metropolis to have greater influence than other places, but he considered that the metropolitan districts would be in the condition of so many separate towns sending Representatives to Parliament. The argument which his right hon. friend had answered, was his own, and not one that he (Mr. Grant) had used.

Lord *John Russell* said, he could not allow the debate to close without offering a few observations on what had fallen from the right hon. Baronet. He had certainly never heard a more effective speech from the right hon. Baronet, for he had succeeded in leading the House completely away from the proposition of the noble Lord, the member for Buckinghamshire. The proposition of the noble Lord did not refer itself to the constituency proposed by the Bill, but to the manner in which the franchise was to be exercised; for he proposed to join all the districts together, and allow the 59,000 voters to vote for all. The right hon. Baronet and the noble Marquis were at variance, inasmuch as the former thought the constituency too much extended, and the latter proposed that even that constituency, large as it was, should be condensed, to vote for those districts of the metropolis which already returned Members. He did not think that this was the way to secure the metropolis from tumult. With regard to the universal suffrage, which, the right hon. Baronet said, this Bill would go far to establish, he would make a few remarks. The population of the Tower Hamlets amounted to 300,000, while the constituency would not amount to more than 20,000. Indeed, on the average, the constituency in small towns would be about one in four, and in large towns, particularly in the metropolitan districts, about one in fifteen. The right hon. Gentleman said, it was a bad provision in the Bill, that large towns should be enfranchised, while small boroughs, in which there might be many houses of 10*l.* a year value, were not to retain their elective suffrage. To this he could only reply, that the doctrine of the right hon. Gentleman would lead to an invidious distinction with regard to the amount of rates paid by particular parties. As to what was said by the right hon. and gallant Officer (Sir George Murray), that Perth, with 140,000 inhabitants, and which was only to return two Members, or one for 70,000 persons, ought to have a more extensive franchise, he would merely observe, that, wealth and population considered, the county of Perth was much better treated than the county of Middlesex. The metropolitan county and districts would only return one Member for 197,000 persons. The arguments urged in support of the propriety of conferring the franchise on the metropolitan districts were sufficient to speak for themselves. These districts comprised all the essential requisites to form a sound constituency, namely, population combined with wealth and intelligence. But then the right hon. Baronet seemed to infer, that the question had better stand over till there was a reformed Parliament. In this he entirely differed from the right hon. Baronet. It could not be expected that a reformed Parliament, in the first year of its assembling, could possess the same experience which this Parliament had, in Constitutional matters. Besides, he imagined that the great cause of the opposition was, not that the Members would be so very democratic, but that they were not likely to support the political views of the hon. Members opposite. So long as the opinion of the Members returned for the metropolis coincided with the political views of the right hon. Baronet and his party, they were always appealed to, as shewing that their measures were agreeable to the public; but now, when the contrary was the fact, they would prevent the increase of them. If the first question put to a reformed Parliament was one as to the construction of political rights, the danger would be infinitely greater than if the House now decided at once as to whether the four places specified should be put in the same situation with the city of London, Westminster, Southwark, and the county of Surrey. Convinced, however, as he was that there would be no danger, but, on the contrary, great advantage in their being so placed, he should cordially vote for their enfranchisement.

Lord *Sandon* said, that, notwithstanding the eloquent appeal of the hon. member for Calne to every Reformer, to shew the sincerity of his attachment to the cause, by his vote this night in favour of the metropolitan districts, he, who professed himself as sincere and honest a Reformer as any Gentleman in this House, felt himself unable to answer that appeal: but, on the contrary, he must give his vote in favour of the proposition of the noble Marquis. Further than that, he must protest against the practice of calling upon hon. Members to vote for all the details of the measure, as a test of their sincerity upon the whole question. It was not with the understanding that he should, on considering this great question, sacrifice all independent judgment, and be compelled to acquiesce in every form or degree in which the principles of the Bill might be embodied, that he had been returned by the powerful community he had the honour to represent. To the great principles of the Bill he had given his humble support; he had voted for the disfranchisement of the nomination boroughs, for the enfranchisement of the larger towns, and for the establishment of the 10*l.* qualification; and he now felt himself justified in opposing the increased Representation of the metropolis. It was possible that he might look at this question with something of a provincial bias, and with more than due jealousy at the increased preponderance of this metropolis, which the proposed addition of Members would confer over the remoter parts of the empire; but it must also be remembered, that he represented a great port, whose interests were occasionally supposed to be at variance with those of London. On both these accounts, he looked with apprehension at the increased influence which it was proposed to add to that which the metropolis already possessed, from its situation as the seat of Government. The ready access of all the interests of this metropolis to the Government offices and to the House of Commons; the importance which the daily Press could give to the minutest event that passed within it—the residence of so many Members of both Houses of Parliament within its precincts, and consequent interest in all its concerns, must give this metropolis and its affairs a preponderance in their councils, which it was their business, certainly, not to increase by adding to the number of Members who directly represented it. As a proof of this, a ruinous chapel in the borough of Southwark could not be pulled down without occupying the attention of the daily journals, and thereby exciting an interest in the whole Legislature, which an object of ten times the importance in Liverpool or Dublin would fail to create. Let any Gentleman who had the prospect of having ever to carry a measure in a Committee up-stairs, in which the interests of any part of London were supposed to be concerned, estimate the difficulties he would have to encounter in the opposition of from eighteen to twenty Members representing the same body; in fact, they would represent one community, acting under common feelings, possessing common interests, and swayed by one common power. It was not the question of enfranchising different, distinct communities—it was not that ancient constitutional practice, as asserted by his right hon. friend, the President of the Board of Control, of giving separate Representation to the appendages of the metropolis. It was arbitrarily parcelling out its suburbs into certain portions, and forming them into districts for election purposes solely, without their having any separate or distinct interest for any other purpose whatever. These suburbs might just as well have been divided into half the number, or twice the number, as far as local fitness was concerned. It was not as appendages or suburbs to the metropolis, that Westminster and Southwark were formerly enfranchised. In those days, they were as distinct communities as any that could now be found. The borough of Southwark was separated from the city of London by the Thames, and had a separate corporate jurisdiction. Westminster was separated from the City by a considerable district, and both these places had, at that time, claims to Representation, as communities having a distinct interest. It had been again remarked by his right hon. friend, that it was the ancient custom of the Constitution for the metropolis to have a pre-eminence in a larger number of Members being allotted to it, and that, therefore, it was but right and fair, that while Representatives were about to be given to other places which had increased in wealth and population, they ought, accordingly, to increase the relative preponderance of London on the same account, but that argument was not correct for many places which had increased fully as much in proportion as the metropolis were to have no increase. He would instance the town he had the honour to represent. They were about to give a Representation to some great towns which had not hitherto been represented, but that furnished no ground for doubling the Representation of London. This was a new and a dangerous notion; for it contained the germs of continual change, and one which could not be realized to its full extent—that of taking portions of towns as they increased in size, and giving them additional Representation. Liverpool, at least, with exports as great as those of London, must, on such a principle, fairly claim additional Representation; but they were told (and this, in his mind, was the only serious argument) that the boon had been offered, and they must not dash the cup of expectation from the lips of this great population. He regretted, indeed, that this boon, never asked for, had been so offered; but he could not think that the consequences of the adoption of the plan of the noble Marquis, in preference to that of his Majesty's Government, would be attended with any serious disappointment. The difference to any elector of having the twenty-thousandth vote for Finsbury, or the thirty-thousandth or forty-thousandth vote for the city of London, or the city of Westminster, could not be very great. His individual importance in either case was not very considerable, and he, therefore, would not feel any very sensible diminution of personal dignity by the change. Besides, now that the city of London would lose, by the swamping of the Livery, and the adoption of a new qualification, a great part of her importance, he did not see upon what ground that particular portion of the metropolis could rest a claim to the pre-eminence of having four Members to herself. Half that number might well be distributed among other portions of the town. Say what they would about the small proportion which twenty or two-and-twenty Members bore to the whole numbers of this House, they would form a compact, an important nucleus, whether for local or political purposes; and no one, who was acquainted with the practical workings of this House would be disposed to undervalue its importance. It was, besides, the extension of that system of centralization in all things, the growing influence of which it was their duty, as it was the interest of the country at large, to endeavour to counteract, rather than to extend. He had thus endeavoured to explain the grounds upon which he should give his vote, reluctant, as he always was, to do anything which might be interpreted into hostility or obstruction to the Bill. He knew the construction which was sure to be put upon the motives of any Gentleman who took such a course: that he would be branded as an Anti-reformer, or a hollow Reformer, and treated as a secret enemy to the whole measure; but he could not belie, upon an important point, the sentiments which he entertained, and had expressed to all with whom he had conversed upon the subject. He could not say one thing in private, and avow different sentiments in that House. He conceived that he was better discharging his duty to his constituents, by thus following an independent course, in consistence with the general sentiments which he had always avowed, than by blindly surrendering his opinions upon every point to those of his Majesty's Government, or bowing to the rod which was daily held over them by the daily Press. He would not be told, by the hon. member for Calne, that this was a question of "the Bill and nothing but the Bill"—watchwords to which he had never submitted, and which were only calculated to put an end to all deliberation, and stifle free discussion. That cry was a watchword for that purpose, for it had no applicability of its own to the question before them, which was simply a question as to the expediency of increasing the Representation of the metropolis. Let Gentlemen only deliberate and decide upon this simple question, and give utterance to the opinions which they formed. They need not be afraid of being misinterpreted by their constituents, if they pursued an honest course. It was a timid and unworthy fear. If, indeed, this were an occasion on which the whole fate of the Bill depended—if the fortune of the measure were now trembling in the balance, to be affected by their decision—he would certainly submit his private opinions, even on a point of so much importance as this, for the sake of carrying that measure, which, be believed, in its main features, to be essential to the welfare of the country. He would sacrifice much private opinion for such an object. Such sacrifices might have been desirable, even necessary, in the beginning of these discussions, but now that he conceived the main principles to be virtually as much carried as if they had already received the royal assent, this absolute submission of private judgment was no longer necessary or desirable, with a view to general success. He, at least, had done his duty by proclaiming his sentiments openly, and was not apprehensive that, in the honest exercise of an independent judgment, he would be charged by his constituents with any factious object of endeavouring to produce division and delay.

Lord *Milton* said, that he entirely concurred with the noble Lord, when he declared that a Member was bound to exercise his independent judgment; but he considered this was a great national question, on which local partialities should not be brought to bear. It did not merely embrace the benefit of London, but the interests of the nation at large, and, as such, it ought to be regarded and discussed. At a time when they were disfranchising a number of small boroughs, as not fit any longer to exist in the Representative system of the country, he would ask, what communities were better entitled to enfranchisement, under such circumstances, than the great suburban districts in the neighbourhood of London? The noble Lord said, they were not distinct communities, and had no separate interests; but if even that was allowed, still they were more populous, more wealthy, and larger, than the ancient parts of the metropolis, with which it was proposed to connect them; and he, therefore, did not see, how the hon. Gentlemen opposite could consistently support the swamping of the old constituencies, by proposing to introduce such an additional number of voters among them, by assenting to the proposition of the noble Marquis. Various other reasons had been assigned for the opposition to the question, probably to disguise the true one, which, after all, was merely the apprehension, that it would have the effect of infusing a greater degree of the popular power and popular interest into that House. The right hon. Baronet opposite (Sir George Murray) had complained, that this increase of Representation had not been given to Scotland instead of to London? Why, if the right hon. Baronet would but for a moment compare the wealth and population of England, and especially of London, with the wealth and population of Scotland, he would find that Scotland would be, under the Reform Bill, if anything, over-represented; but the fact was, that it was never intended this arrangement should proceed on the exclusive basis of population or wealth. When they were looking around them for a constituent body for that House, he confessed that he thought they would have been guilty of the grossest political blindness, if they had overlooked those great and wealthy and populous districts, which had grown up in the suburbs of this metropolis; and he quite agreed with his hon. and learned friend, the member for Calne, that if they did not now give Members to those districts, it would be the very first question that would be raised in a Reformed Parliament.

Mr. *Hunt* next rose, amidst reiterated calls of "Question," but he said he was not to be put down by any such interruption, come from what quarter it might. He agreed with the noble Lord, that the suburbs of London ought to be represented, and he was confident that if the House of Lords threw out the clause—for, in the Commons, there was no danger of it—there would not be peace in the country for a single day after—the clamour would instantly commence. He contended, that the statements of the right hon. Baronet (Sir Robert Peel) were perfectly correct, if the figures in the books were correct; but he drew a very different conclusion from them from that at which the right hon. Baronet had arrived. The right hon. Baronet had told the Committee, that if the proposition for giving Members to the metropolitan districts were carried into effect, it would lead to Universal Suffrage—it would certainly confer a vote on almost every housekeeper at least, for he knew no house in his neighbourhood that was not let for more than 10*l.* a-year; but so much the better that it was so; he wished that the franchise to be bestowed, would operate in the same manner in other places, and he regretted that it would not do so. Corruption would be found to exist, not among the lower classes—not among the 10*l.* householders, but among the higher order of shopkeepers. The right hon. Baronet, moreover, talked of this being a democratic measure, and said that, if it were once adopted, democracy would have a complete control in every department of the State, and that the new Members for the metropolis would partake of the character of demagogues. But where, he would ask, was there a greater democrat than the hon. member for Westminster, who now sat on the Ministerial side of the House? If any greater democrat could be found, let him only once sit on that side of the House, and get but a finger into the Treasury, he would be very soon cured of his democracy. But it was downright folly to suppose, that democrats, or demagogues, would be chosen for any of the new places on which the franchise might be conferred. He had heard it stated, that a great public writer, Mr. Cobbett, and a very celebrated doctor, namely, Dr. Bowring, who was employed upon our finances, expected to get returned for Manchester. It was just as likely they would be returned for that great and opulent town, as for the University of Oxford. Again, it was stated, that Colonel Jones, who called himself a Radical, but who, in his (Mr. Hunt's) opinion, was only half a Radical, expected to come in for one of the metropolitan districts. He had no more chance of it than he (Mr. Hunt) had. No, the men who would be returned under the new system, would be men of property and consideration; such, for instance, as one of the present hon. Members for the county of Lancaster, about whose democracy a great deal was said before he got into Parliament, but not one word after. He could assure hon. Members, that their votes this night would be most rigidly canvassed and examined throughout every part of the country. The people were not to be deceived. He thought it much better that the Lords should throw out the Bill altogether, than that it should be lost on this clause. If it should be so lost, he could foresee nothing but turmoil and confusion from one end of the kingdom to the other. He could see no reason for depriving the metropolitan districts of Members, because they possessed wealth, population, and intelligence. He thought the onus lay on the other party, to prove that these districts were not entitled to have Members.

Mr. *Cutlar Fergusson* said, whatever might be his feelings with regard to the proportion of Members to be given to Scotland, he would not oppose this clause, because he was not one of those who wished to withhold the franchise from a million of Englishmen. He was a person who, like the noble Lord, the member for Liverpool, came to this House unpledged to support any measure which he did not upon principle approve of; but he could not agree with the noble Lord that this was a question of detail. To him it appeared altogether a question of principle; and if he was called upon as a Reformer to declare what course he should pursue, his answer to that appeal would be, that he would give his ready and full support to the proposition now made by his Majesty's Ministers. If this was not a question of principle, but only one of detail, then he was at a loss to know the distinction between the one and the other. For what was the principle of the Bill? Was it not that the elective franchise was to be extended to, and founded upon, the property, the population, and the intelligence of the country? But, according to the arguments which had been urged to-night, with respect to the surburban districts of this metropolis, these three ingredients were considered positive disqualifications, because the inhabitants were connected with those parts of the towns which already sent Members. He quite agreed with the hon. and learned member for Calne, that it was incumbent on the hon. Gentlemen on the opposite side to make out their case; and he did not think that the right hon. Baronet (Sir Robert Peel) had answered the hon. and learned member for Calne, or in any way shown that there would be danger in granting the franchise to these districts—a matter which it was incumbent on him and his friends to show. The right hon.

Baronet endeavoured to prove the danger of granting the franchise, by remarking, that in giving it in the instance of these districts, while it was refused to other important districts, they must naturally create discontent; but did not the right hon. Baronet perceive, that this argument would apply equally well the other way; it was quite impossible this Bill could have the approbation of those districts, if they were refused the franchise which had been promised to them, while, at the same time, the very principle of the Bill itself would be violated by denying the extension of the franchise to such a rich, intelligent, and numerous population.

Lord *Sandon* begged to be permitted to say, that the ground upon which he opposed this clause was, that the districts in question were not distinct places, but were one and the same with the city of London, Westminster, and Southwark; and that for the purposes of enfranchisement, the proposition of the noble Marquis was no more exceptionable than the one made to unite the docks with the town of Liverpool, or Chatham with Rochester, as was done with the last Bill.

Mr. *Sheil* said, he trusted the House would recollect, that he was the only member for Ireland who had addressed the House on a question in which the interests of Ireland were materially concerned. He had lately endeavoured to present the injustice which, under the present Bill, would be done to Ireland, by bringing the case of Petersfield before the House; and, although he felt the injury to be inflicted upon his country, he did not feel that he could procure a right for that country by doing a wrong to England. Yes; and he could state for his countrymen, that they would not accept a benefit for their country at the expense of this. He could not conceive on what principle any one could advocate Reform, without increasing the Representation of this vast metropolis, and he was sorry that the noble Lord's (Lord Sandon's) connexion with Liverpool should induce him to treat this as a provincial question. The London Representation could not be considered as a provincial question, for London was the metropolis of the empire. The right hon. Baronet emphatically said, that, if this clause passed, there would not be sufficient power in the House to control that out of doors; but, if the Bill did pass without it, could any man suppose that the people of London would be satisfied, and that the right hon. Baronet and his party could resist the gigantic pressure from without, by putting their shoulders to the doors?

The Committee divided, when the numbers were: Ayes 316; Noes 236—Majority 80.

The district of the Tower Hamlets was, accordingly, placed in schedule C.

List of the AYES.

Althorp, Viscount
Anson, Hon. G.
Astley, Sir J. D.
Atherley, A.
Bainbridge, E. T.
Barham, John
Baring, Sir T.
Baring, Francis T.
Barnet, Charles, J.
Bayntum, S. A.
Beaumont, T. W.
Benett, John
Berkeley, Capt.
Biddulph, Robert M.
Blake, Sir F.
Blamire, W.
Blount, Edward
Blunt, Sir C.
Bouverie, Hon. D. P
Bouverie, Hon. P. P.
Briscoe, John I.
Brougham, J.
Brougham, W.
Buller, James W.
Bulwer, Ed. E. L.
Bunbury, Sir H. E.
Buxton, T. F.
Byng, Sir John
Byng, George
Byng, G. S.
Calcraft, Granby H.
Calley, Thomas
Calvert, Charles
Calvert, Nicholson
Campbell, John
Carter, John B.
Cavendish, Lord
Cavendish, Hon. C.
Cavendish, Hon. Col.
Chaytor, Wm. R. C.
Chichester, J. P. B.
Cockrell, Sir C.
Cradock, Col. S.
Crampton, P. C.
Creevey, Thomas
Cunliffe, Offley
Currie, John
Curteis, Herbert B.
Davies, Col. T. H.
Denison, W. J.
Denman, Sir T.
Duncombe, T. S.
Dundas, Sir R. L.
Dundas, Hon. J. C.
Dundas, Hon. T.
Easthope, John
Ebrington, Viscount
Ellice, Edward
Ellis, Wynn
Etwall, Ralph,
Evans, William
Evans, W. B.
Ewart, William
Fazakerley, J. N.
Fellows, H. A. W.
Ferguson, Gen. Sir R.
Foley, Hon. T. H.
Foley, J. H. H.
Folkes, Sir W.
Fox, Lieut. Colonel
Gisbourne, Thomas
Glynne, Sir Stephen
Gordon, Robert
Graham, Rt. Hon. Sir J.
Graham, Sir S.
Grant, Rt. hon. Robert
Greene, Thomas G.
Grosvenor, Rt. hon. Lord R.
Guise, Sir B. W.
Gurney, Hudson
Gurney, Richard H.
Handley, William F.
Harcourt, G. V.
Harvey, Daniel W.
Hawkins, J. H.
Heathcote, Gilbert J.
Heneage, George F.
Heron, Sir R.
Heywood, B.
Hobhouse, Sir J. C.
Hodges, Thomas L.
Hodgson, J.
Horne, Sir W.
Hoskins, K.
Howard, Hon. W.
Howard, Henry
Howard, Phillip H.
Howick, Visc.
Hudson, Thomas
Hughes, Colonel
Hughes, Alderman
Hume, Joseph
Hunt, Henry
Ingilby, Sir W. A.
James, William
Jerningham, Hon. H. V. S.

Johnstone, Sir J. B.
Jones, J.
Kemp, T. R.
King, Edward B.
Knight, Henry G.
Knight, Robert
Labouchere, Henry
Langston, Jas. H.
Langton, Col. Gore
Lawley, Francis
Lee, John L. H.
Lefevre, C. S.
Leigh, T. C.
Lennard, Thos. B.
Lennox, Lord Arthur
Lennox, Lord G.
Lennox, Lord W. P.
Lester, B, L.
Littleton, E. J.
Lumley, J. S.
Lushington, Dr. S.
Maberly, Col. W. L.
Macaulay, Thomas B.
Macdonald, Sir J.
Mackintosh, Sir J.
Mangles, James
Marjoribanks, Stewart
Marshall, W.
Mayhew, W.
Milbank, Mark
Mildmay, P. St. J.
Milton, Viscount
Moreton, Hon. H.
Morpeth, Viscount
Morrison, James
Mostyn, E. M. L.
Newark, Viscount
Noel, Sir G.
Nowell, Alex.
Nugent, Lord
Ord, Wm.
Owen, Sir John
Owen, Hugh O.
Paget, Sir C.
Paget, T.
Palmer, General C.
Palmer, C. F.
Palmerston, Viscount
Pelham, Hon. C. A.
Pendarves, E. W. W.
Penleaze, John S.
Penrhyn, E.
Pepys, C. C.
Petit, Louis H.
Petre, Hon. E.
Philipps, Sir R. B.
Phillips, Chas. M.
Philips, Geo. R.
Ponsonby, Hon. J.
Portman, E. B.
Poyntz, W. S.
Price, Sir R.
Ramsbottom, John
Ramsden, John C.
Rickford, Wm.
Rider, Thomas
Ridley, Sir M. W.
Robarts, Abraham W.
Robinson, Sir G.
Robinson G. R.
Rooper, J. B.
Rumbold, C. E.
Russell, Lord John
Russell, Sir R. G.
Russell, Lieut. Col.
Russell, Charles
Sandford, E. A.
Schonswar, George
Scott, Sir E D.
Sebright, Sir J.
Skipwith, Sir G.
Smith, G. R.
Smith, John
Smith, John A.
Smith, R. V.
Spence, George
Spencer, Hon. Capt.
Stanhope, Capt. R. H.
Stanley, Rt. Hon. E. G. S.
Stanley, J.
Stephenson, H. F.
Stewart, Patrick M.
Strictland, G.
Strutt, Edward
Stuart, Lord Dudley
Stuart, Lord P. J.
Surrey, Earl of
Talbot, C. R. M.
Tavistock, Marq. of
Tennyson, Charles
Thicknesse, Ralph
Thomson, Rt. Hon. C. P.
Thompson, Alderman
Throckmorton, R. G.
Tomes, John
Torrens, Col. R.
Townley, R. G.
Townshend, Lord C.
Tracy, Charles H.
Troubridge, Sir E.
Tufton, Hon. H.
Tynte, Charles K. K.
Tyrell, Charles
Uxbridge, Earl of
Venables, Alderman
Vere, James J. H.
Vernon, Hon. G. J.
Vernon, G. H.
Villiers, T. H.
Vincent, Sir F.
Waithman, Ald. R.
Walrond, B.
Warburton, H.
Warre, J. A.
Wason, W. R.
Waterpark, Lord
Webb, Col. E.
Wellesley, Hon. W. T. L.
Western, C. C.
Weyland, Major R.
Whitbread, W. H.
Wilbraham, G.
Wilde, T.
Wilks, J.
Williams, Sir J.
Williams, J.
Williams, W. A.
Williamson, Sir H.
Winnington, Sir T.
Wood, C.
Wood, J.
Wood, Alderman
Wrightson, W. B.
Wrottesley, Sir J.

SCOTLAND.

Adam, Admiral C.
Campbell, W. F.
Ferguson, R.
Fergusson, R. C.
Gillon, W. D.
Grant, Rt. Hon. C.
Haliburton, Hn. D. G.
Johnston, J.
Johnstone, A.
Johnstone, J.
Loch, J.
Mackenzie, S.
M'Leod, R.
Morison, John
Ross, H.
Sinclair, G.
Stewart, Sir M. S.
Stewart, E.
Traill, G.

IRELAND.

Acheson, Viscount
Belfast, Earl of
Bellew, Sir P.
Blackney, W.
Bodkin, J. J.
Boyle, Lord
Boyle, Hon. J.
Brabazon, Viscount
Browne, J.
Browne, D.
Brownlow, C.
Bourke, Sir J.
Callaghan, D.
Carew, R. S.
Chapman, M. L.
Chichester, Sir A.
Clifford, Sir A.
French, Arthur
Grattan, H.
Grattan, J.
Hill, Lord Arthur,
Hill, Lord, G. A.
Hort, Sir W.
Jephson, Charles O.
Killeen, Lord
King, Hon. Robert
Knox, Hon. Col. J. J.
Lamb, Hon. George
Lambert, Henry
Lambert, J. S.
Leader, N. P.
Macnamara, W.
Mullins, Frederick
Musgrave, Sir R.
O'Connell, M.
O'Connor, Don
O'Farrell, R. M,
Ossory, Earl of
Parnell, Sir H.
Ponsonby, Hon. G.
Power, R.
Rice, Rt. Hon. T. S.
Ruthven, E. S.
Sheil, R. L.
Walker, C. A.
Wallace, Thomas
Westenra, Hon. H.
White, Colonel H.
White, Samuel
Wyse, T.

TELLER.

Duncannon, Viscount

Seventeen Pairs in favour of Ministers on Metropolitan Clause.

Anson, Sir George
Bailie, Jas. C.
Burrell, Sir C.
Clive, C. B.
Coke, T. W.
Doyle, Sir J. M.
Forster, J.
Godson, Robert
Jeffrey, Right Hn. F.
Lopez, Sir Ralph
Newport, Right Hon. Sir J.
O'Grady, Hon. Col.
Payne, Sir Peter
Smith, Martin T.
Stanley, Lord
Thompson, Paul B.
Whitmore, W.

List of the NOES.

A'Court Capt. E. E.
Alexander, James
Alexander, J. Du Pre.
Antrobus, Gibbs C.
Apsley, Lord
Ashley, Hon. Henry
Ashley, Hon. Henry
Astell, W.
Atkins, John
Attwood, Matthias
Baldwin, Charles B.
Bankes, George
Bankes, W. J.
Baring, Alexander
Baring, Henry B.
Bastard, Capt. John
Beckett, Right hon. Sir J.
Beresford, Col. M.

Best, Hon. W. S.
Boldero, F. G.
Bradshaw, Capt. J.
Brogden, James
Brudenell, Lord
Burge, William
Burrard, George
Buxton, John J.
Capel, John
Chandos, Marq. of
Cholmondley, Lord H.
Clinton, C. I. F.
Clive, Viscount
Clive, Hon. R. H.
Cockburn, Rt. Hon. Sir G.
Constable, Sir C.
Cooke, Sir Henry
Courtenay, Rt. Hon. T. P.
Croker, Rt. Hn. J. W.
Cust, Hon. Col. E.
Cust, Hon. Capt. P.
Dawkins, James
Dawson, Rt. Hon. G. R.
Dick, Quintin
Domville, Sir C.
Douro, Marquis of
Drake, Col. W. T.
Dugdale, W. S.
East, James B.
Eastnor, Viscount
Elliot, Lord
Encombe, Viscount
Estcourt, T. B.
Estcourt, T. H. S. B.
Fane, Hon. H. S.
Farrand, Robert
Fitzgerald, Sir A.
Fitzroy, Hon. H.
Foley, Edward T.
Forbes, John
Forester, Hn. G. C. W.
Fremantle, Sir T.
Freshfield, James, W.
Goulburn, Rt. Hn. H.
Graham, Marquis
Grant, Gen. Sir C.
Grimson, Viscount
Hardinge, Rt. Hon. Sir H.
Herbert, Hon. E. C. H.
Herries, Rt. Hn. J. C.
Hill, Sir Rowland
Hodgson, Frederick
Holdsworth, A. H.
Holmes, W.
Holmesdale, Viscount
Hope, Henry T.
Hope, John T.
Hotham, Lord
Houldsworth, T.
Howard, Hn. Col. F.
Inglis, Sir R. H.
Irving, John
Gordon, John Adam
Jermyn, Earl
Joliffe, Sir W. G. H.
Joliffe, Col. H.
Kearsley, John H.
Kemmis, T. A.
Kenyon, Hon. L.
Kerrison, Sir E.
Kilderbee, S. H.
Knight, J. L.
Lascelles, Hon. W.
Lewis, Rt. Hon. T. F.
Loughborough, Ld.
Lovaine, Lord
Lowther, Viscount
Lowther, Col. H.
Lowther, John H.
Luttrell, John F.
Lyon, William
Mackillop, James
Mackinnon, W. A.
Mahon, Viscount
Maitland, Viscount
Malcolm, Sir J.
Mandeville, Visc.
Martin, Sir Byam
Mexborough, Earl of
Miles, P. J.
Miles, William
Miller, W. H.
Mount, W.
Neeld, Joseph
Nugent, Sir G.
Peach, Nathaniel W.
Pearse, John
Peel, Rt. Hon. Sir R.
Peel, Col. J.
Peel, W. Y.
Pelham, J. C.
Pemberton, T.
Phipps, Hon. Gen. E.
Pigott, G. G. W.
Pollington, Viscount
Pollock, F.
Porchester, Lord
Praed, W. M.
Price, R.
Pringle, Sir W. H.
Rae, Rt. Hon. Sir W.
Roberts, Wilson A.
Rogers, E.
Rose, Rt. Hon. Sir G. H.
Rose, Capt. Pitt
Ryder, Hon. G. D.
Sadler, M. T.
Scarlett, Sir James
Scot, Sir S.
Severn, J. C.
Seymour, H. B.
Sibthorp, Col. C. D. W.
Somerset, Lord G.
Stewart, Charles
Stormont, Viscount
St. Paul, Sir H. D.
Sugden, Sir E. B.
Taylor, George W.
Thynne, Lord H. F.
Thynne, Lord John
Townshend, Hon. Col.
Trench, Sir F. W.
Trevor, Hon. Arthur
Tunno, Edward R.
Ure, Masterton
Vaughan, John E.
Villiers, Viscount
Vyvyan, Sir R.
Wall, Charles B.
Walsh, Sir John
Welby, Glynne E.
Wetherell Sir C.
Weyland, John
Williams, Robert
Wood, Col. Thomas
Wortley, Hon. J. S.
Wrangham, Digby, C.
Wyndham, Wadham
Wynn, Sir W. W.
Wynn, Rt. Hn. C.
Wynn, C. W. G.
Yorke, Capt. C. P.

SCOTLAND.

Arbuthnott, Hn. Gen.
Blair, William,
Bruce, C. C. L.
Cumming, Sir W. B.
Dalrymple, Sir A.
Davidson, Duncan
Douglas, W. R. K.
Dundas, Robert A.
Gordon, Hn. Capt. W.
Graham, Ld. M. W.
Grant, Hon. Col.
Lindsay, Col. James
Maitland, Hon. C. A.
Murray, Rt. Hn. Sir G.
Pringle, Alexander
Ramsay, Williams
Scot, H. F.

IRELAND.

Archdall, Gen. M.
Bateson, Sir R.
Brydges, Sir John
Blaney, Hon. Capt. C.
Castlereagh, Viscount
Clements, Col. J. M.
Cole, Lord
Cole, Hon. Arthur
Conolly, Colonel
Cooper, Edward J.
Coote, Eyre
Corry, Hon. H. L.
Ferguson, Sir R.
Ferrand, Walter,
Gordon J. E.
Hayes, Sir E.
Ingestrie, Visc.
Jones, Theobald
Knox, Hon. John H.
Lefroy, A.
Lefroy, Dr. T.
Meynell, Capt. H.
Perceval, Col.
Pusey, Philip
Rae, Sir W.
Rochford, Col. G.
Stewart, Sir H.
Tullamore, Lord
Wigram, W.
Wynne, John

TELLER.

Clerk, Sir G.

HOUSE OF COMMONS,

Wednesday, February 29, 1832.

MINUTES.] Bill brought in. By Mr. SPRING RICE, to provide for the Sale, Manufacture, and Consumption of Tobacco grown in Ireland.

Returns ordered. On the Motion of Mr. JOHN WOOD, of the latest Valuation of County Rates preceding the Act 55 Geo. 3rd, and all Valuations that have taken place since by virtue of the said Act; of the Amount of Duty paid on Stone Bottles from 5th of January, 1815, to 5th January, 1832, distinguishing the Amount paid in each year:—On the Motion of Sir HENRY PARNELL, of the Increased Charge of Full Pay occasioned by granting additional Pay for length of Service to Officers of the Army, by the operation of the Warrants of 1830; of the Expenses of the Officers of the Commander-in-Chief, Adjutant General, and Quartermaster General, showing the particulars of the same in detail, for the year 1831, and the Charges for the Officers of Chelsea and Kilmainham Hospitals:—On the Motion of Lord JOHN RUSSELL, of the Receipts and Expenses of the Office of Paymaster General for the year 1831:—On the Motion of the Marquis of CHANDOS, of the manner in which 32,000*l.* charged in the Civil Contingencies, for the Payments of Rewards on account of the discovery of Offenders in the disturbed districts in November 1830, was expended.

Petitions presented. In favour of the Bill for Limiting the Hours of Labour in Factories. By Lord MORPETH, from the Inhabitants of Holmfirth, and the Corporation of Cutlers, Hallamshire:—By Lord CAVENDISH, from the Inhabitants of Shaftesbury, and Chesterfield; and by Mr.

Weyland, from the Inhabitants of Charlbury. Against the Bill. By Lord Morpeth, from the Owners and Occupiers of Water and Steam Mills at Keighly, Bingley, and parts adjacent; and Mr. John Wood, from the Market Cotton Spinners of Preston. Against the General Registry Bill. By Lord Morpeth, from Freeholders and Leaseholders of Knaresborough and its vicinity, Hentley, West Whitton, Middleham, and Caverham:—By Mr. Tynte, from the Landowners of the Hundred of Andersfield, Somerset:—By Sir George Murray, and Lord Cavendish, from the Corporation of Hull, of Freeholders of Worksworth, and Ashbournham in favour of the Bill:—By Mr. Briscoe, from Kingston upon Thames:—By Lord Morpeth, from Huddersfield, praying that the limits of the Borough should be extended to the whole Parish, and that the Borough should send two Representatives to Parliament; and from the Guild of Tanners of Galway, for Provision in the Irish Reform Bill for the peculiar Franchise of that place:—By Mr. John Wood, from William Redgard, of Liverpool, complaining of the Law by which Executors are allowed to pay their own Claims in preference to those of other Creditors; and from the Teachers of the New Meeting; Sunday Schools at Birmingham, for the Repeal of the Newspaper Stamp and Paper Duties:—By Sir George Murray, from the Maltsters of Perth, and Distillers in the Highlands of Perthshire, Against the Repeal of so much of the existing Law as allows a drawback of the Duty on Malt distilled into Spirits:—By Sir Arthur Chichester, from the Proprietors of Estates and other Persons at Belfast, interested in the Colonies, for a Reduction of the Duties on West-India Produce:—By Mr. Strickland, from Inhabitants of Skipsea, praying for some Legislative measure calculated to ameliorate the condition of the Agricultural Poor:—By Mr. Hodges, from the Inhabitants of Hythe, Against annexing Sandgate and Folkestone to that Town, for the purpose of Returning a Member; and from Folkestone, in favour of the Division of Counties.

The *Speaker,* at the sitting of the House, called the attention of the Members to the subject of the order in which petitions were to be presented. He suggested, that, in order to prevent confusion, Members, who had petitions to present, should attend at the House each morning at ten o'clock, and put down their names—that the names should afterwards be put into an urn, and drawn out by lot, and that, as they were drawn they should be entitled to precedence.

The House adopted the Speaker's suggestion, which was accordingly made one of the standing rules of the House.

Count Czapski.] Mr. *Henry Grattan* begged to ask the right hon. Secretary for Ireland a question on a subject which had excited considerable interest in Dublin, on account of the circumstances attending it. It appeared that Count Czapski had made his escape from Warsaw, with great difficulty, and was so fortunate as to get to Belfast; on his landing there, he was told, it was necessary to give information of his arrival to the office of the Secretary, under the Act regarding Aliens. On his arrival at Dublin, he had made several inquiries at the Custom House and the Castle, and was told at the latter place, as he only intended to stay a few days, he need not apply again. Subsequently, however, circumstances induced him to prolong his residence in that city, when an intimation was given him to attend the Head Police, and, on appearing there, he was fined the full penalty, notwithstanding he had, in the first instance, conformed to the letter of the law, and was only induced to violate it by inadvertence. The question, therefore, he wished an answer to, was, whether the payment of the fine, which had been inflicted on this Polish nobleman, for his unwilling violation of the Alien Law, was to be enforced?

Mr. *Stanley* answered, that the case of Count Czapski was briefly this:—After he had landed in Ireland, he came to Dublin, and when he had been there a short time, he was informed, that, in conformity with the Alien Law, he must state to the Government whether he intended to fix his residence there. In compliance with the rule on this subject, he went to the proper office, and there stated, that it was not his intention permanently to remain in Dublin, where he intended only to stay a day or two. He, however, staid between a fortnight and three weeks, and then manifested no intention of leaving the country, but gave no notice whatever of the change of his determination. Steps were, therefore, taken to show, that the Government were not inattentive to this breach of the law, and, in consequence of them, a Magistrate inflicted a fine of *50l.* Some inquiry was, however, set on foot, and it having been since understood that he had acted upon erroneous representations of the law, the matter had been taken into consideration by the Irish Government; and he (Mr. Stanley) was happy to say, that he had that morning received a letter from his noble friend, the Lord Lieutenant of Ireland, stating it to be the decision of Government, that, under the circumstances of the case, it would not be proper to press for the penalty.

Sugar Duties Bill.] Lord *Althorp* moved the order of the Day for the House resolving itself into a Committee of Ways and Means, with a view to the continuance of the Sugar Duties Bill.

The Marquis of *Chandos* expressed a hope that the noble Lord would postpone this Bill until the report of the Committee on the West-India interests should be laid before the House. He had been informed, that certain resolutions were to be submitted on Friday, on which it was probable their Report would be founded, and the Report, it was likely, would be before the House early next week.

Lord *Althorp* said, that he could not comply with the wish of the noble Marquis, because it was not likely that the Report of the Committee would be made in sufficient time. He believed with the noble Marquis, that certain resolutions were to be proposed to the House on the day mentioned, but he was afraid that the Report could not be made so soon as the noble Marquis calculated on, and it was important that the Sugar Duties Bill should be brought forward at an early period, as the Bill founded on the resolutions must be passed by the 5th of April.

Mr. *Keith Douglas* said, he had hoped that the noble Lord would not have proposed the continuance of this Bill, until he was prepared to state what were the ultimate views of the Government upon the subject of these duties.

Mr. *Robert Gordon* also requested, that the Bill might be, for the present, postponed in order that the fullest information might be before the House.

Lord Althorp said, that if this Bill were to be opposed as the Bill of last year had been, he must either proceed without delay, or allow other public business to be impeded. It must be recollected, that the Bill to be founded on the Resolutions, was a money bill, and, therefore, would take a longer time than another bill to get through its various stages. He was, however, willing to postpone it for the present, provided the noble Lord (Chandos) would come to an understanding, that, after the discussion in the Committee, no further delay should be thrown in the way of the progress of the Bill.

Mr. *Goulburn* thought, that the Bill ought to be postponed for a week, which was not a very material delay. For himself, he would say, that he should offer no unnecessary opposition or vexatious delay, knowing, as he did, that the Bill must be passed before the 5th of April, although he must protest against the adoption of the course proposed by the noble Lord, that the House were to abstain from discussing the Bill after it had been brought forward on the resolutions agreed to in a Committee.

Mr. *Burge* said, he had no doubt that it was the intention of Ministers to bring forward some plan founded on the Report of the Select Committee, and, therefore, it was important that the House should be in possession of the evidence on which these resolutions were founded, before they were called upon to agree to the Sugar Duties, which were of paramount importance as regarded the West Indies.

Lord *Althorp* said, he never meant to ask the House to abstain from discussing the subject, after the Report of the Committee was delivered. All he meant to say was, that the Bill of last Session was opposed in every possible way, and, if the same opposition was extended to the proposed Bill, he should not have time to get it through the House by the 5th of April, unless all other business was postponed. Upon the understanding that no vexatious opposition, for the mere purpose of delay, would be offered to it in its future stages, he would consent to put off the present question until Wednesday next. He begged it also to be understood, that, should the Report of the Committee not be before the House by that time, he could not pledge himself to postpone it any longer.

Bill postponed.

EMPLOYMENT OF TROOPS.] An hon. *Member* begged to ask the right hon. Gentleman, the Secretary for Ireland, whether he was disposed to give some explanation, of troops being marched to the vicinity of a recent meeting, without the cognizance of the Lord Lieutenant of the county, or of the Magistracy.

Mr. *Stanley* had received information from the Lord Lieutenant of Ireland, that the troops had been marched in consequence of a breach of the peace having been anticipated. There was no wish to conceal this from the Magistracy of the county, but the circumstances admitted of no delay. The orders had, therefore, been given without their knowledge, and the presence of the military had, probably, prevented the threatened disturbances.

Sir *Henry Hardinge* took the present occasion to remark, that he decidedly objected to the calling out of the military in any part of the kingdom, without the authority and presence of a Magistrate to sanction the proceeding. It was placing the officer in command in a most painful situation. He regretted to observe, that, for some time past, this practice had been increasing.

PETITION FOR REFORM FROM NEW YORK.] Mr. *Hunt* wished to avail himself of the present occasion to ask a question of the noble Lord, the Chancellor of the Exchequer, relating to a petition from the British residents in America. It would be recollected that last Summer an account had appeared, in the newspapers, stating, that a petition to the King, from certain natives of Great Britain and Ireland, resident in New York, in favour of the Reform Bill, had been transmitted to this country. It had received 600 or 700 signatures, and had been transmitted to Earl Grey, in order that it might be laid before his Majesty; but his Lordship, by his Secretary, had returned for answer, that there was no precedent for such a proceeding. He (Mr. Hunt) had received a letter on the subject from some of the parties in New York; and, as they were anxious upon the subject, he begged to ask the noble Lord, whether there was any probability that the petition to the King would be presented?

Lord *Althorp* replied, that this was the first time he had heard of the petition. Ministers, certainly, did not wish to set any new precedent on such a subject without a sufficient reason. For his own part, it was not in his power to give any answer to the question of the hon. Gentleman.

Mr. *Hunt* then said, that he would take another opportunity of calling the attention of the House to the subject.

BUCKINGHAM PALACE.] Sir *Fred. Trench* took occasion to call the attention of Members to the report on Buckingham Palace, and he hoped that they would only read a few pages of it in preparation for his Motion on Friday next. They would find, that 700,000*l.* had already been expended upon this building, to which sum was now to be added about 75,000*l.*, for completing some of the apartments, besides an unascertained sum for the state-rooms, in order to complete which, it would be found necessary to make indefinite purchases of lands and houses in Pimlico.

Mr. *Cressett Pelham* was convinced that the sum necessary to make this palace a habitation fit for the Sovereign would be so great, that it would be preferable to abandon the undertaking altogether rather than to attempt it.

Mr. *Hume* said, the large sums that had been so wantonly expended on the royal palaces, ought to make them extremely cautious how they voted money for such purposes, There were certain items of this character in the Miscellaneous Estimates, which the House ought to be acquainted with before it went into the Committee. He would suggest, that one quarter's Estimates ought to be taken first, instead of the five quarters together, so that there might be time to examine the matter fully.

Mr. *Spring Rice* said, it was not his intention to bring on the Miscellaneous Estimates to-night; but when he did, he thought it would be more convenient to the House to vote the whole of the five quarters at once.

PORTUGAL.] Mr. *Robinson* asked, whether any and what precaution had been taken for the protection of British trade on the coast of Portugal, in the event of certain contingencies rendering it necessary?

Sir *James Graham* said, that at present there was a British Admiral off the coast of Portugal, to whom instruction had been sent to give all possible protection to the trade of this country.

SUPPLY — NAVY ESTIMATES.] Lord Althorp moved the Order of the Day for the House to resolve itself into a Committee of Supply.

Sir *George Clerk* begged to ask the noble Lord, upon what plan he intended to proceed with regard to the Navy Estimates. He understood the right hon. Baronet, the First Lord of the Admiralty, did not intend to call for any money for the Naval Department for the present quarter, as there was a sufficient balance in hand to cover the expenses, and he (Sir G. Clerk) could not think it right to vote Estimates for five quarters when the funds already in existence were sufficient for one. The same remarks were applicable to the army; there was a large sum in the Exchequer remaining on account of that department. He wished to ascertain, therefore, whether it was intended to apply those balances to the service of the year?"

Lord *Althorp* replied, that it would be necessary now to vote the supply for five quarters, and it was intended to apply the surplus to the aid of the Ways and Means.

Sir *Henry Hardinge* thought that the mode of preparing the Ordnance Estimates ought to be adopted in the other branches of the public service. Whenever a balance occurred in that department at the end of the year, it was placed to the credit of the public, and applied to the service of the following year.

Mr. *Hume* was sorry to differ from the hon. and gallant General, but his plan would go to prevent the House from knowing what sums were really expended in each particular department. It was necessary they should know whether the amount expended was agreeable to the Estimates; and the simplest way of ascertaining that was, to keep the receipts and expenses of each department under separate heads.

SUPPLY—RELIEF TO THE WEST INDIES.] The House in Committee of Supply.

Lord *Althorp* said, he need not remind the Committee, that, in the course of the last autumn, a very severe calamity befel some of the West-Indian islands—more particularly Barbadoes, St. Vincent's, and St. Lucia, in the shape of a hurricane, which occasioned an immense destruction of property. On this calamitous event occurring, the agents for those islands applied to the Government, to know whether it would not afford some relief to the sufferers? Upon looking at what had been done on former similar occasions, he found that calamities of a similar description, but less in the extent of their disastrous results, had before occurred, and particularly one in 1780; on which occasion, Parliament thought it incumbent on the mother country to give assistance to the distressed Colonists. Soon after the recent calamity, very urgent solicitations had been made to his Majesty's Government for relief, and the application had been enforced by a reference to what had formerly been done. It was strongly urged that, if it was then thought necessary and expedient, there was no good reason for refusing relief now. Upon a consideration of all the circumstances, his Majesty's Government felt itself bound to accede to the application, so far at least, as to show some sympathy felt for the colonists, who suffered on this occasion by a calamity inflicted by the hand of Providence, and which had come on them by no fault of their own. The first step taken by Government was, to ascertain the amount of the loss; and he regretted to state, that the inquiries made on that point, under the direction of his noble friend at the head of the Colonial Department afforded reason to suppose, that the amount of the loss was nearly 1,700,000*l.* That was a sum which, in the present state of the finances of the country, it was impossible to think of granting to the colonists, and it seemed as if relief could not be afforded. Upon looking back to the year 1780, it was found, however, that the estimated loss at that period was above 1,000,000*l.*, and that the sum voted by Parliament for relief was 80,000*l.* His Majesty's Government, after some consideration, finding that there was a class of sufferers to whom no relief could be afforded, except by means of an actual grant, and thinking that to make up even a small proportion of the loss sustained might be of some service, and knowing that, at least, it would show that the country felt sympathy amidst its own difficulties for their situation, it had come to the resolution of proposing to grant them 100,000*l.* Under these circumstances he felt that he was not extravagant, and he hoped it would not be supposed that the Government was acting in an improvident manner in proposing this vote. He did not think it necessary to trouble the Committee with a long statement in favour of the grant. He would, therefore, content himself by moving, as a resolution, "That a sum not exceeding 100,000*l.* be granted to his Majesty, for the relief of certain of his subjects, whose property had been destroyed by a hurricane in the islands of Barbadoes, St. Vincent, and St. Lucia.

Mr. *Burge* merely rose to express his gratitude to Government, and his approbation of the principle on which they proceeded in proposing this vote. He was not connected with either of the islands which had suffered so severely, but he most cordially approved of the resolution, because it proceeded upon the principle that it was a national duty to relieve our fellow subjects in the West-India islands in their distresses. Acting upon such feelings of Colonial policy, they would do much to bind the Colonies to the mother country by the strongest of all possible ties, by generating in them a similar good spirit, which he doubted not would bear fruit in due season.

Mr. *Hume* said, he was reluctant to oppose this grant, either as a matter of sympathy or as a matter of policy. He could not, however, agree with the hon. Member who had spoken last, in approving the principle on which it was granted. It was a bad principle, and one which he could not recognize. There were numbers of our fellow subjects on every side of us suffering grievous distress—not owing to any fault of their own, but owing to the visitation of Providence; and he could not see why, if losses sustained by a stroke of Providence in the West Indies were to be made good out of the public purse, losses sustained in the same manner in our own country should not be made good from exactly the same resources. Still he would not oppose the grant.

Lord *Althorp* said, that he did not bring forward the vote as a matter of principle, but if ever there was a case deserving the consideration of the House it was the present. The vote could scarcely be said to establish a precedent, for, as he had already stated, the precedent had been set in 1780. Every application of the sort must depend upon its own merits.

Mr. *Goulburn* was of opinion that there never was a vote founded on a more just principle than that now before the Committee. No duty could be more imperative on Parliament, and no vote more obligatory, than one evincing the sympathy of the Parliament of the mother country with their fellow subjects, who were suffering under an infliction of Providence, which no efforts of their own could avert. If they were to hesitate or decline to assist our dependent possessions under such circumstances, and let it go forth that this was the only European state which had no sympathy for the sufferings of its Colonies, they would go far to sever the bond of allegiance which united those islands to the parent country, and to deprive themselves of those advantages which were incidental to the possession of colonies.

Mr. *Labouchere* was unconnected with the West-India Colonies, but he felt himself called upon to return his hearty thanks to the noble Lord for the proposition he had brought forward. He could not conceive a case which more demanded the sympathy of the House, and the assistance of the country. The distance of the suffering Colonies from any immediate relief aggravated their distresses very much. Had a similar calamity affected any part of the United Kingdom, friends and assistance were at hand, but in an insulated colony the whole of the community, when it was visited by such a stroke of Providence, was generally involved. Such being the peculiar circumstances of this case, he trusted this vote would be unanimously agreed to, although he was very ready to acknowledge that, in common cases of difficulty and distress, applications to the Legislature for relief ought not to be granted. It was important that the public should see that the House did not lend its sanction to the principle of relieving ordinary distress, but that the House, knowing of such a wide spread calamity, and representing the whole empire, including the colonies, was anxious to shew its kind feeling to the suffering parties.

Mr. *Robinson* said, no doubt it was only upon extraordinary occasions, like the present, when an overwhelming calamity had visited a whole community in a manner which rendered it impossible to obtain relief from any other quarter than Parliament, that assistance should be given by the House. It must be remembered, that the sum of 100,000*l.* was but a very small part of the loss which had been sustained; and he very much regretted that the difficulties which pressed upon the country prevented a larger amount being given. He was, however, very thankful for the sum that had been proposed. After those remarks, he need hardly say, that he cordially concurred in the policy and propriety of the grant. He begged to ask, merely for information, under what control the sum about to be voted would be appropriated, for he did hope the utmost care would be taken that the money went into the hands of those for whose use it was intended.

Lord *Althorp* replied, that Government would be responsible for the mode in which the grant would be appropriated. They intended to take into consideration, not only the amount of property destroyed, but also the several classes of persons who had suffered. Such checks would be placed upon the distribution of the money as would prevent any abuse of the bounty.

Mr. *Cressett Pelham* was happy to think the vote would be unanimous. He considered the Colonists was as completely identified with this country as the inhabitants of any one of its counties. He had understood that, in the event of the calamity reaching Government, they had immediately removed the restriction upon the importation of foreign stores. This was a wise and prudent measure, and he hoped the arrangement would be permanent, instead of temporary, so as to enable those Colonies to procure the necessaries of provision and lumber on cheap and reasonable terms.

Mr. *Hunt* said, he held it to be a good and proper principle for Government to relieve the distresses of their subjects whenever and wherever they needed it; and as so much had been said of the distresses of the West-Indian Islands, he wished Government to look also at home. He begged to call the attention of the House to the situation of the paupers in Bethnal-green workhouse, as described in a petition now before the House. He was sure their case as much deserved the sympathy of Parliament as the sufferers in the West Indies. He should propose, therefore, that the vote should be increased to 101,000*l.* and that the odd thousand should be applied to the sufferers at Bethnal-green.

Lord *Althorp* did not think the hon. member for Preston need persist in his Motion, as the case of Bethnal-green had been already under the consideration of Government, and he might add that temporary relief had been granted to a larger amount than the hon. Member had proposed. In consequence of the assistance afforded, 500 paupers had been withdrawn from the workhouse.

Mr. *Hunt* expressed his very great satisfaction at the statement the Committee had just heard from the noble Lord, for which he begged to express his sincere and cordial thanks. He withdrew his Motion with great pleasure, being happy to find there was no occasion for it.

Mr. *Marryatt* fully concurred with those hon. Members who had expressed their satisfaction at the Resolution proposed by the noble Lord, and he was, moreover, happy in being the organ of conveying to him the gratitude and unfeigned acknowledgements of the suffering Colonies. This he did, not in consequence of the amount of the grant, although he was ready to acknowledge that it was as liberal as could be expected, but because the tone of his speech, and the manner in which the House had received it, evinced a feeling of sympathy for the distresses of the Colonists. They would no doubt appreciate this, and he trusted it would tend, in a great degree, if followed up by a plan of general relief, to soften those feelings of irritation and distrust which were unfortunately now too prevalent. To get rid of those feelings by removing the causes was a task worthy of engaging the attention of the most paternal Government.

Resolution agreed to.

SUPPLY—THE BRITISH MUSEUM.] Mr. *Baring* rose to move the customary annual vote for defraying the expenses of the British Museum. The gentleman who had for many years been in the habit of proposing this vote (Mr. Bankes) being no longer a Member of the House, the duty had devolved upon him, as the only remaining Trustee who was now a Member. Any hon. Member who took the trouble to look at the Estimates for the current year, would see that they did not materially differ from the accounts of the preceding year, excepting in this particular, that the sum asked for was about 1,600*l.* more than last year. This was required for defraying the expenses of a negotiation that had been concluded for a very valuable body of manuscripts, called the Arundel Manuscripts. These had been obtained from the Royal Society, partly in exchange for a number of duplicate books, but a balance of 900*l.* had to be paid on the part of the Museum. The remaining sum of 600*l.* was wanted for the purchase of some coins and medals, the possession of which were deemed to be of considerable importance. It was considered by the members of the Royal Society, and by the trustees of the Museum, that a considerable public benefit was effected in this transfer of the Arundel Manuscripts from the possession of the one to the other, for the persons to whom alone they would be useful, were not accustomed to consider the apartments of the Royal Society as a place where such documents would be likely to be found, and, therefore, in their hands they remained nearly useless; whereas, in the library of the Museum circumstances were directly the reverse. He would take that opportunity of remarking, that increased accommodation had been afforded to the public availing themselves of the pleasure of the Museum, which had been made so valuable by the bounty of this country; and, in accordance with the suggestions which had been thrown out last year, the library was now open to the public every day in the week, except Sundays. That the late grants had not been uselessly applied, was apparent from the number of persons visiting the British Museum, which it would be interesting to the House to know. During the last year, no less than 38,000 individuals had visited the Museum, and very nearly 100,000—namely, 99,852 persons from all parts of the kingdom, had, within the same period, visited the library for the purposes of study. These results, he thought, were sufficient to show, that in this grant, at least, there was no waste of the public money. He therefore begged leave to move, "that a sum, not exceeding 16,922*l.*, be granted to his Majesty, to defray the estimated expenditure of the British Museum, for the year ending at Christmas, 1832.

Sir *Charles Wetherell* was happy to find, that the duties so ably heretofore discharged by Mr. Bankes, had devolved upon his hon. friend who had just sat down, under whose surveillance, he felt satisfied, the Museum would be made useful. The negotiation which had been concluded between the British Museum and the Royal Society, was most beneficial to both, and, he thought, that on the present occasion, the transfer of duplicate copies had been made without loss to either institution.

Mr. *Hume* rejoiced to hear there was an increase in the number of visiters to the Museum, which, he believed, was owing to the more liberal arrangements made for the accommodation of such parties. He should not object to the vote, but would merely suggest to the noble Lord opposite, the propriety of reducing the grant from 16,000*l.* odd to 11,000*l.*, as it appeared, that in January last, there remained on hand of the amount granted last year, a sum exceeding 5,000*l.*, and he did not see why such a balance should be kept in hand by the trustees.

Mr. *Baring* remarked, that the sum voted had always been a grant for the expenditure of the year, and, in consequence, the society had the fifth quarter in advance. The account of the expenditure laid before the House is an account of the expenditure within the year which had just elapsed (1831), and unless the same mode was adopted on the present occasion as heretofore, as the Estimates were seldom brought forward before the month of March, the fifth quarter would not be in advance, but the trustees would be incurring expenses during the interim, without having the means of paying them.

Vote agreed to.

The House resumed.

MALT DUTIES DRAWBACK.] On the question, that the Order of the Day for the second reading of the Malt Duties Drawbacks Bill be read,

Mr. *Dixon* regretted the noble Lord had not postponed his Bill until next Session. The only foundations for it were the unsupported allegations of the Irish distillers, who had thought proper to put forth the most calumnious assertions against the Scotch distillers, which, if the opportunity were afforded, the latter would refute in the most satisfactory manner. The assertion of the Irish distillers was, that as the Scotch were able to undersell them, therefore their spirits must be fraudulently manufactured. Instead of exerting themselves to compete with their neighbours, they say, there is a possibility of so managing, as to evade the Excise regulations, and, they asserted, that the Scotch did it. The consequences of the measure proposed by the noble Lord would be, the revival of illicit distillation all over Scotland. It had been suggested to him, that a better course than that proposed would be, to take off the whole of the Malt duty, and place an extra duty of 3*s.* a gallon on spirits, which would yield a larger revenue than was now obtained from the double duty. Distillation from malt would then become general, and would be highly advantageous, from the increased number of persons it would employ. As he knew other Gentlemen were anxious to address the House, he would content himself by moving, that this Bill be read a second time this day six months.

Mr. *Horatio Ross* seconded the Amendment proposed by his hon. friend, the member for Glasgow, being well convinced of the bad policy of the measure now under discussion. He had been a member of the Malt Drawback Committee, and heard all the evidence given before it. That Committee was appointed in consequence of the complaints which the Irish distillers made against the Scotch: they boldly accused the Scotch of committing frauds to such an extent, that it was impossible for the fair Irish distiller to carry on his business. But what was the result of that inquiry? Why, that although the Irish distillers were most ably supported in the Committee by the hon. member for Kerry, and several other able men, who, if it was possible, by questioning and cross-questioning the witnesses, would have detected fraud, if any existed, yet they were unable to prove one single case of fraud on the part of the Scotch distillers. All that could be proved was, that Scotch whiskey was sold in Ireland cheaper than the great monopolists of that country found convenient, but this was no proof of fraud on the part of the Scotch. Persons acquainted with the two countries knew very well that Scotland had natural advantages, which enabled her to produce spirits cheaper than the distillers of Ireland could; and, he believed, that one of the chief causes of Scotch whiskey having been sold so cheap in Ireland for some years past had been owing to the great competition, and that the Scotch distillers had been selling at a decided loss: and several of the greatest distillers in that country had become bankrupts within the last two or three months. Although it did not appear in evidence that the Scotch had been trading to a disadvantage, yet, he had no doubt it was the case. He believed, that the great Scotch distillers had been running a race against the Irish, and that they had suffered severe losses in consequence. He earnestly hoped, that before the House came to a final decision on this important question, Members would read the Report of the Commissioners of the Board of Excise, in reply to the complaints of the Irish distillers. These Gentlemen ought certainly to understand the subject. The concluding paragraph of their Report was this:—

"In conclusion, we beg to submit to your Lordships, that when the benefits which have been achieved by the present system, and the increasing probabilities that a perseverance in it for some time longer will eventually eradicate illicit distillation, are compared with the evils which have resulted from that practice, and from attempts to collect any high rate of duty, the question is not to be decided as the memorialists imply, by considerations which are merely of a fiscal nature; but, when it has, as we apprehend, been clearly shewn, that exclusive of the large additional profit derived from the increased quantity of spirits brought to charge, the revenue has derived an absolute increase from the operation of the present law, and that the effect of repealing it would be either to place the licensed distillers, especially those of a small capital and inferior skill, under great disadvantages, in his competition with the smuggler, if not altogether to suspend his operations—we are induced to suggest to your Lordships the policy, particularly with reference to the late augmentation of duty on spirits, of suspending any diminution of the present rate of allowance, until further experience shall have shewn how far it may be prudent to modify a system involving so many interests, and from which the revenue, and, it might be added, the community of those districts in which it prevails, are, at this time, deriving so many important advantages."

This was the recorded opinion of these Gentlemen — and they concluded, after mature consideration, that a reduction of the drawback would be attended by the most injurious consequences, both to the revenue and to the country; yet, in the teeth of this Report, his Majesty's Ministers, yielding to the clamour of the Irish distillers, backed by the Irish Members, were about to alter that law which, after an experience of several years, had been found so efficient, both in crushing smuggling, and in benefitting the revenue; he had lived the greater part of his life in Scotland; he had seen the bad effects of the former system, and the fatal consequences of smuggling upon both the morals and habits of the people; he had witnessed with pleasure the change that had taken place in those habits, in consequence of the temptation to smuggle whiskey being done away, by allowing a drawback to the fair distiller of malt whiskey; and he felt convinced, that if this Bill was carried, it would immediately cause a recurrence of those disgraceful, demoralizing scenes. He also considered it a gross breach of faith on the part of Ministers with those gentlemen, who, upon the strength of this drawback, had invested their capitals in the erection of distilleries. This vacillating system perpetually changing and interfering with the laws, on which the fortunes of many respectable persons depended, would have the effect of checking enterprise and speculation, for every man would feel that trading was not safe. Upon the faith of certain existing laws, a man invested his fortune in a particular branch of business, and no sooner was he fairly established, than the regulations on which he relied were changed, and he found himself ruined. That would be the case with many distillers in Scotland, he was afraid, if this Bill was carried, and he therefore was determined to oppose it at every stage.

Mr. *Leader* felt himself bound, in consequence of what had fallen from the two hon. Gentlemen who had asserted, that the Scotch distillers had been forcing a trade at a loss, and that their success against the Irish was owing to their superiority of skill, to say a few words to the House. In reply to these assertions, he would produce the evidence that was adduced before the Committee, by which it appeared, that the malt drawback admitted of frauds in every stage. This was apparent from the testimony of a gentleman of the name of Falls, who stated, that he had been for many years a distiller at Duncannon, that he himself possessed peculiar resources, and could purchase the materials for his business on unusually low terms—that he was acquainted with the Scotch method of distillation, and had the best machinery, and yet, that he found himself undersold at his own door, by spirits manufactured in Scotland from corn purchased in Ireland. He could not account for this, except by supposing, that the Scotch distillers must have some improper facilities under the system which this Bill was to do away with; and he was satisfied that was the case, when, on a visit to Scotland, for the purpose of inquiring into the subject, he saw that no steps whatever were taken to prevent spirit being manufactured as the distillers pleased. The result of the freedom they enjoyed, and the use they made of it was such, that the best appointed Irish distillery could not compete with them on account of the effects of this unfair drawback. He was satisfied, therefore, that the Act in favour of the drawback ought to be repealed, and all the distillers in the United Kingdom should start fair upon equal terms.

Sir *George Murray* regretted, that any difference should exist on any subject between Ireland and the country to which he belonged; but he felt, that the fraud ought to be proved before any alteration should take place, particularly when such an alteration would deeply affect Scotland. The only ground of imputation against the Scotch distillers was, that the Irish distillers could not account for their being undersold in their own market, except by means of fraud. There had already been inquiries into this subject before parliamentary Commissioners, and it was apparent that great benefits had been derived from the existing system; and he thought, that some evidence should be given that a change which would so materially affect the morals of the people, by encouraging illicit distillation was necessary before it was made. With respect to the testimony of Mr. Falls, on which the hon. Gentleman had so much relied, he believed it had been confuted by that of another gentleman, of the name of Smith. Under these circumstances, he called upon the Government to pause before they re-introduced smuggling into Scotland, which would be the consequence of such a measure as that now before the House. He should, therefore, support the Amendment

Mr. *Francis Baring* said, that the case did not rest exclusively upon the evidence of Mr. Falls, or of Mr. Smith, but was supported by that of gentlemen from Scotland, connected with distillation. There was one case in which the raw grain had actually been found in the copper; and another, where the circumstances were equally strong; and yet the law was so bad, that in neither of these cases was the Excise able to obtain a conviction for fraud. The right hon. Gentleman would, no doubt, be ready to coincide in regulations that would put an end to fraud; but the best way of getting rid of the fraud was, by getting rid of the temptation; for, as long as there was a temptation to commit fraud, dishonest persons would effect it. The right hon. Gentleman relied on the regulation for the drawback having been introduced by a Commission, whose labours deserved the greatest praise. That was true; but the hon. Member for Radnorshire, who was a Member of that Commission, was also a Member of the Committee, in obedience to the Report of which this Bill was brought in, so that an equal weight might be said to attach to both.

Mr. *Walter Campbell* said, that supervisors, sent down by the Government to examine into the Scotch distilleries, had invariably reported, that they found no instances of fraud whatever; and, indeed, the Irish distillers themselves allowed, that no case of fraud had ever been proved against the Highland distillers. The unfortunate Highlander had a strong claim upon the sympathy of the House. If distress occurred in Ireland, England poured in her wealth to alleviate its severity; but, when Scotland was in a state of starvation, no one came forward to assist her. For some time past, the Highlanders had been labouring under the most serious privations, which they had always borne with the most laudable fortitude: but now this resource was to be taken from them. He trusted, that, under these circumstances, a short delay would be allowed, in order that the Bill might be seen by the Scotch distillers, so that they might have an opportunity of giving their opinion upon it. He understood that the greater part of the Irish whiskey was made from oats, instead of barley; and that, out of 1,000,000 of gallons only 230,000 of them were made from malt; so that the Scotch drawback was not calculated to do Ireland any great mischief.

Lord *Althorp* did not think that any further delay was necessary. Notice had been given of the intention of Government to introduce such a measure before Christmas. That proper information had reached Scotland was, he thought, evident from the fact, that all those who were interested, spoke on the subject as if they understood it extremely well. Even the Highland Society had made communications to Government in relation to it. The Bill was calculated to remove those facilities to the commission of fraud, which had too long existed. That was its sole object, and he hoped it would be found effectual.

Mr. *Gillon* said, that, as so full a discussion had taken place in the Committee on this subject, he would not now trespass at any length on their attention. He was aware, that it was of no use appealing to facts, or even to the statements of their adversaries, which refuted themselves. Argument was to be borne down by clamour, and his countrymen were to be the sufferers. He had before alluded to the injustice which would thus be done to a most respectable body of men—the malt-distillers of Scotland, who had been betrayed, as it now appeared, by false inducements held out to them, to invest their capital in this trade. Every day convinced him only the more of the impolicy of the change proposed, and of the evils resulting to commerce from that unsteadiness and mutability of purpose observable in our Excise regulations. The House seemed to forget, that "confidence was the soul of commerce," and that they were now wantonly sporting with the rights and property of their fellow countrymen. He had shown that the low price of spirits in Scotland arose from the competition, and that the distillers of raw-grain whiskey, which was the species complained of, had been selling off under prime cost, but this was an evil that would soon cure itself. But, if the representations of the distillers be deemed interested and ex-parte, he begged to call the attention of the House to the Reports of the Highland Society of Scotland; he believed he might say, the most extended, the most intelligent, and the most influential association in the kingdom; they deprecated the change proposed, and suggested other means, which he had before suggested to the Committee, for preventing fraud, as far as was possible, under the present Excise system. He was sure, if time was given, that petitions would be sent in from every county in Scotland against this change. He should be happy to concur in a change of the Excise regulations, the whole of which, by their absurd complication, held out the strongest temptation to smuggling. He believed the revenue might be much more effectually guarded at half the expense; he should be happy to concur in a change of that sort, but not in one which was to sacrifice the fair trader and the man of small capital to the smuggler and the monopolist. He had heard, with the greatest alarm, that it was not altogether out of the intention of the Government to carry this change still further. With what confidence were the malt-distillers to go on, with this further change hanging over their heads? His constituents did not hesitate to say, that they must be driven from a country where there was no security, in consequence of this continual vacillation in the Legislature, for the investment of their capital. He was convinced this experiment would fail; but, if it was to be tried, he begged to suggest, that the change should take place from the 5th of July next; as, by that time, the process of malting for the season would be brought to a close, and less injury would result to those interested in this trade, and it would less interfere with existing agreements, than if forced on in the beginning of April, and the middle of the season.

The House divided:—Ayes 41; Noes 17—Majority 24. Bill read a second time.

List of the Noes.:—

Arbuthnot, General
Brydges, Sir J.
Best, W. S.
Campbell, W.
Campbell, J.
Calley, T.
Gillon, W. D.
James, W.
Lowther, Hon. Col.
Murray, Sir G.
M'Leod, R.
Morison, J.
Pelham, C.
Townshend, Hon. Col.
Wetherell, Sir C.
Wyndham, W.
Weyland, J.

Tellers.

Ross, H.
Dixon, J.

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HOUSE OF LORDS,

Thursday, March 1, 1832.

Minutes.] Returns ordered. On the Motion of Lord Plunkett, a Copy of the Appointments of W. M, M'Causland and Robert Long, Esqrs., as joint Secretaries of the Lord Chancellor of Ireland; of Richard Lockwood, Esq., as Secretary of Lord Chancellor Manners, and of Robert Long, Esq., as Secretary of Lord Chancellor Hart; of the Amount of their respective Emoluments, and the number of days in every week in which they have been employed in the duties of their office.

Petitions presented. By the Earl of Warwick, from the Ribbon Manufacturers of Nuneaton, for protection from Foreign Competition;—By the Duke of Devonshire, from the Inhabitants of Marraugh, for the Abolition of

Tithes in Ireland:—By Lord King, from certain Inhabitants in Dublin, for Interference in the case of the Polish Count Czapksi, who was confined in that City for neglect of some Provisions of the Alien Act.

Labour of Children in Factories.] The Archbishop of *Canterbury* presented a Petition from the inhabitants of Rochester and its vicinity, to support the measure which was on its way to that House, for the proper regulation and limitation of the hours of labour for children in the woollen, cotton, silk, and other manufactories. The petitioners stated, that it was usual to work children who were employed in such places from thirteen to sixteen hours out of the four-and-twenty, without allowing them more than one hour for their meals, and, in many instances, even less than that. The petitioners further pointed out the painful effects which this extended period of labour produced in the health and morals of the children, and they concluded their petition by stating, as their opinion, that ten hours a day was the utmost extent to which children should be employed in any manufactory. He could take upon himself to say, that the petition was numerously and most respectably signed, and he trusted that their Lordships would not refuse their attention to the subject, nor fail to use their power for the protection of children against a system of cruelty and oppression. He could not take upon himself to answer for the facts stated in the petition, but he had every reason to suppose that they were correctly set forth; and, on that supposition, he had no hesitation in saying, that this was a system of cruelty and oppression which ought to be put an end to. It ought to be recollected, that, with children up to the age of about fourteen or fifteen, the time was that of innocent pleasure and enjoyment, whereas, under this system, they were confined for a most unreasonable number of hours each day at their labours, without time for relaxation, or even for proper refreshment—and that, too, with a very few holidays in the year. The effect of this was pernicious to their health, and it ought also to be recollected, that it was attended with the most serious injury to their morals; it was a disgrace to a Christian and civilized community to allow such a system to continue merely for putting money in the pockets of the master manufacturers. He was happy to know that a measure had been introduced into the other House for the regulation of the labour of those children by a Gentleman well acquainted with the subject, and whenever that Bill came up to their Lordships, if it answered his present expectation it should have his support.

Petition laid on the Table.

Law Process.] Lord *Tenterden* laid on the Table a Bill for the establishment of Uniformity of Process in the several Courts of Law. At present the forms of the proceedings in the several Courts were very different, and it was highly desirable to render them uniform. He did not then think it necessary to enter into a detailed statement of the contents of the Bill, as these must be brought under their Lordships' attention in the progress of the Bill. He might mention, that the Judges had drawn up a set of rules or orders for the regulation of the proceedings, which would relieve suitors from much delay, labour, and expense; and the present Bill had a similar object in view.

Bill laid on the Table, and read a first time.

HOUSE OF COMMONS,

Thursday, March 1, 1832.

Minutes.] Bills brought in. By Mr. Cripps, to Regulate the mode of Electing County Coroners:—By Sir James Graham, for continuing an Act passed in the First year of the present King, for the Regulation of the Marines while on Shore; and by Sir John Hobhouse, for the better Payment of the Army, and preventing Mutiny and Desertion, commonly called the Mutiny Acts:—By Lord George Lennox, to extend the Provisions of an Act of the 7th and 8th George 4th, relative to Remedies against the Hundred.

Returns ordered. On the Motion of Mr. Burge, of all Colonial and East-India Appeals, and all Appeals from the Islands of Guernsey, Jersey, Alderney, and Man, lodged or entered in the Books of the Privy Council, heard or decided, or remaining undisposed of, from the 1st of January, 1826, distinguishing each year:—On the Motion of Mr. Alderman Venables, of the Exports of British Manufactured Silks and mixed Silks, with the Amount of the Drawback paid thereon from 5th January, 1815, to 5th January 1832, and of the Duties received on Raw and thrown Silk, &c., imported during the same period:—On the Motion of Mr. Spring Rice, a List of Boroughs arranged according to the Number of Houses, Amount of Assessed Taxes discharged to be deducted, Game Duties to be added, and Assessed Taxes to be corrected.

Petitions presented. By Mr. James, from the Master Cotton Spinners of Blackburn and Bolton, against the Factories Regulation Bill, and by Colonel Webb, from the Inhabitants of Gloucester, Wadebridge, Exeter, and certain Operatives, in favour of it:—By Mr. Stanley, from the Royal College of Surgeons in Ireland, praying that the Provisions of the Anatomy Bill may be extended to that Country; and from the Inhabitants of Drogheda for an Inquiry into the Turnpike Trusts (Ireland):—By Mr. Alexander Baring, from Bulkington and Coventry. By Mr. Alderman Waithman, from 9,000 Silk Weavers in Spitalfields. By Mr. Robinson, from Macclesfield. By Mr. Henry Lytton Bulwer, from Coventry, Nuneaton, Alleborough, and Stockingford, in Cliverston. By the Earl of Grosvenor, from the Tradesmen of Macclesfield, Inhabitants of Sowe, Congleton, Manchester, and Salford, complaining of the Distressed State of the Silk Trade and for Inquiry.

ABOLITION OF TITHES (IRELAND).] Sir *Richard Musgrave* presented Petitions for the Abolition of Tithes, from the parishes of Ballylaleen, Carricbeg, Kinsalebeg, and Butlerstown, in the county of Waterford; and from the parish of Gowran, in the county of Kilkenny. He said, in some of these parishes there are not any churches, nor a single Protestant parishioner, and yet tithes and church-rates are rigorously exacted. The parishioners of Ballyleen state, that a portion of their tithes is paid to a lady, who is quite incapable of affording them any spiritual comfort or consolation. Every friend of the Protestant religion ought to wish for a total abolition of the tithe system in Ireland. In that country the clergy of the Established Church have, for a long period, possessed great wealth and great political power. They could easily influence the Legislature to pass any Tithe Act or Acts for levying church-rates, for which they wished. Even when they assented to the Tithe Composition Act, they took care to introduce a provision, that the clergyman should take precedence of the landlord. The result, however, of this great wealth, and of this political power, has not been favourable to the interests of religion, or to the increase of the number of Protestants. Their number has been greatly diminished, as compared with the Catholics, and, in many parishes in the south, Protestants have altogether disappeared. The discontent which prevails, is not confined to the Catholics, for the exaction of tithes has tended to alienate Protestants from the Church. The most respectable Protestants perceive that the temporalities of the Establishment are highly injurious to the real interests of religion, nor can they shut their eyes to the glaring injustice of taxing a Catholic population, for the benefit of sinecure Protestant clergymen. Can any person defend the levying of church-rates in parishes where there are few Protestants, and where, at the same time, tithes are rigorously exacted? In the parish of Lismore, where I reside, tithes to the amount of 800*l.* a-year are levied, under the denomination of economy tithes, for the repair and building of churches, ; and yet church-rates are annually exacted to the amount of 80*l.* or 90*l.* These rates are laid on 2,000 rate-payers, almost all of whom are Catholics, and many of whom are, from their poverty, summoned before the Magistrates, who have then a most distressing duty to perform. As to the remedy for the many evils of this system, I beg leave to read an extract from the letter of a beneficed clergyman of Ireland, lately addressed to me. I beg the attention of hon. Members to this document, as it is of considerable importance, and highly creditable to the writer:—

> "It appears to me, that the only equitable mode of arranging the future remuneration of the clergy is, by a commutation of tithe into land. I do not mean that the clergy should enjoy their present (in many instances) overgrown incomes, under a tithe commutation. To make a commutation of tithe practicable, I conceive it must be, in some degree, a popular measure. To make it popular, being equitable at the same time (I do not mean that efforts should be made to win the approbation of the revolutionist and common disturber of the public peace, for they, even by concession and conciliation, are not to be won), but I assert, that the measure shall meet with the general approval of the reflecting and good among all parties of the State. This can only be obtained (as also I firmly believe the best interests of the Established Church are to be advanced) by reducing the incomes of the clergy to moderate dimensions. Let the Committee recommend, that tithe property be divided into three equal parts—one for the benefit of the poor, one for the building and repair of churches, paying officers' salary, &c., and one for the respectable remuneration of the Established clergy. Commutation under those circumstances (and under those only) I consider practicable: without this division, I fear even landlords may dread to purchase the tithes of their estates, or, having purchased, may find it a difficult, if not a dangerous task, to collect such to remunerate themselves in their purchase money. I think, in the present state of public opinion (including that adverse to the Established Church, and that regarding its welfare), that it would be idle to attempt to legislate with satisfaction or success upon the method of paying the clergy, without including a wholesome reduction of the Church's temporalities. It is evident, that a legal provision must (and that at no distant day) be made for that ever-multiplying body, the Irish poor; and I feel that that object can, with justice to the general interests of the country, be best effected, by appropriating to it a portion of the superabundant wealth of the Church."

Such are the sentiments of a beneficed clergyman, and I hope they will attract the attention of the Legislature. I shall not now seek to bring on a discussion on the specific measures necessary for effecting a change of system. The Report and evidence of the tithe Committee, will soon be brought before this House, and I shall take that opportunity of restating here, the same objections which I urged against that Report, as a member of the Committee. The Report appears to me not to be borne out by the evidence, and the measure therein recommended, of following the precedent of 1799, and of giving the Lord Lieutenant power to imprison those who refuse to pay tithes, must lead to the most calamitous consequences.

Mr. *Henry Grattan* expressed his surprise that the papers relating to the Report of the Committee, which were laid on the Table ten days ago, had not been printed. In consequence of the delay in printing them, many erroneous impressions had gone abroad.

The *Speaker* said, that the cause of the delay was, that though the Report was short, the papers connected with it—the evidence on which it was founded—was very voluminous. He had made inquiries into the subject, and finding that the printing of the evidence would take some time, he had given orders that the Report should be printed at once, without the evidence, and when the evidence was printed, the Report should be reprinted with it. Within twenty-four or, at most, forty-eight hours, the Report would be in the hands of the Members.

Mr. *Blackney* had been requested to support the petition from Gowran, which he did with great pleasure. It bore the signature of 300 persons, who were exceedingly aggrieved by the oppressive system of tithes. In this neighbourhood, the hurlers had commenced their operations, and the rector of Gowran was one of those to whom they applied for a reduction of the tax, complaining, that they were in the utmost misery—that tithes and taxes robbed them of the means of support—that their families were without clothing, and themselves almost without food. In the adjacent parishes the population were in the same abject circumstances. He held affidavits in his hand which asserted, that a party had been summoned for an arrear of sixpence, and that the summons cost 2*s.*; another was summoned for twopence, and for that miserable sum was charged with the usual expenses, besides loss of time, to which he was compelled to submit. The gentlemen who were to receive these pittances held good livings, and large incomes. It was, therefore, monstrous to suppose, that the House would consent to advance money from the Treasury, to be repaid at some future day by a tax levied on the land of Ireland, to uphold a system which authorized such practices, while the poor, on whom the payment would ultimately fall, were famishing and dying for want of food and raiment. Money might be had from the Treasury, certainly, for such a purpose, but it never could be reimbursed from the acres of Ireland.

Mr. *Stanley* said, he did not rise to continue a discussion on the subject of tithes, for nothing could be more inconvenient than a desultory discussion on a subject which was now undergoing an arduous and strict inquiry before a Committee, still less could he think it right, that hon. Gentlemen should enter into statements which went to affect the reputation and character of particular clergymen, who had no means of protecting themselves from such attacks. On this part of the subject he would assure such hon. Members, that if they had any facts which came within their own knowledge, or know of any case of oppression, the Committee up-stairs would pay every attention to their evidence. Having made these few remarks, he begged to state, that he had been requested by the Chairman of the Committee, to call the attention of the House to a subject of much importance, as far as it regarded the proceedings of the Committee. For the last three or four days it was well known, that a gentleman had been under examination by that Committee, whose opinions and views, not less from his great ability than from his high station in the Catholic Church (he meant Dr. Doyle), had excited great interest. The Committee-room had, consequently, been crowded, not merely by Members of the House, who had a right to be present, but a considerable number of strangers were also admitted. The Committee did not wish their proceedings to be kept private, nor that whatever passed might not be a matter of public knowledge; at the same time, the House would agree with him, that it was often necessary, when the Committee printed the evidence, to accompany it with notes; and, therefore, that it was highly objectionable to allow that evidence to go before the public before the whole of the proceedings were in the possession of that House. There were also many cases in which the Committee might be required to exercise a discretion as to the parts of evidence it was necessary to suppress, and, therefore, it was extremely improper for individuals to take advantage of the permission granted to them of being present, to make partial and garbled Reports of the proceedings, through the usual channels of information. He held in his hand *The Dublin Morning Register*, in which there was a lengthened Report of the substance of Dr. Doyle's evidence given on Thursday last, and, in some of the Morning Papers he had seen abstracts of that evidence. He only now wished to call the attention of the House to the inconveniences attending such a course, if advantage were taken of putting before the public a partial or garbled statement, or, indeed, any statement at all, before the Report should be laid on the Table. He stated this, in order that those Gentlemen who attended the Committee-room, if they were Members of the House, might abstain from saying any thing, or laying before the public any information which they might receive in attending the Committee; or if, as was more probable, those paragraphs proceeded from strangers not being Members, that if such a course were continued, the Committee would feel it necessary to exercise the privilege they possessed of excluding all strangers who were not Members of the House. He thought it right to lay these facts before the House, in order that the practice should be put a stop to.

Mr. *Ruthven* thought it unfair that any part of the evidence should be suppressed, or that a selection should be made. In his opinion, no Committee ought to be allowed to exercise such a discretion as the right hon. Gentleman had advocated.

The *Speaker* observed, that the hon. Member who had spoken last, had entirely misunderstood the observations of the right honourable Gentleman (Mr. Stanley). He thought the course that had been pursued, was extremely improper, and was, clearly, a breach of one of the privileges of the House, which it was essential to uphold. If this course was pursued, the consequence would be, to compel the House to withdraw that indulgence which had hitherto been given.

Mr. *Hume* was afraid, that what the right hon. Gentleman had stated, as a great grievance was not in the power of the House to remedy. The Report to which the right hon. Gentleman had alluded, if it was the same which he (Mr. Hume) had seen, did not purport to be the evidence that had been given before the Committee, but only the substance of it. The only remedy was in the discretion of the Members how far they would consider themselves warranted in giving publicity to what had been stated before the Committee. Perhaps the Speaker would have the kindness to point out some course by which the grievance might be remedied.

Lord *Milton* thought the suggestion of the hon. Member who spoke last would be attended, if adopted, with great inconvenience.

Mr. *Ruthven*, in explanation, observed, that he understood the right hon. Gentleman opposite to have stated, that it was competent to the Committee to suppress part of the evidence; if such was the case, it was a course he highly deprecated.

Mr. *Stanley* observed, that if such was the impression of the hon. Member, he had completely mistaken his meaning; what he had said was, that it was competent for the Committee, where evidence was tendered, to strike out such parts as they did not think evidence. There were also a number of cases, in which the names of individuals were mentioned, and circumstances annexed to those names, that it would not be right to give to the world.

Petitions to be printed.

STATE OF THE SILK TRADE.] Earl *Grosvenor* then rose, pursuant to notice, for the purpose of bringing the state of the Silk Trade under the consideration of the House. The subject was one of considerable importance, and of the utmost interest to a very numerous class of persons. He therefore regretted that the introduction of it had not fallen to the lot of some other individual more competent to deal with such an important question than he was—either the hon. member for Coventry, or the worthy Alderman, who was one of the Representatives of London, for in their hands he was sure that it would have been dealt with in a much more satisfactory manner than he could hope to treat it. He would endeavour to fulfil, however, the responsibility which he had undertaken to the best of his humble abilities. The course which he meant to pursue was, that of requesting the House to grant a Committee of Inquiry for the purpose of searching into the distressed condition of the silk manufacturers of the country. It was unnecessary for him to go at length into detail upon such a question, with a view to excite feelings of commiseration for the unfortunate manufacturers; but he must be permitted to say, that the dreadful distress he had witnessed among the silk manufacturers was alone sufficient, if he had no other reason, to induce him to call the serious attention of the House to the subject. This state of distress in the silk trade was attributed mainly to the existence of certain regulations which were adopted respecting it in 1826. The subject was one devoid of all party considerations, and it would, therefore, he had no doubt, be discussed entirely upon its own merits. He felt himself called upon to state, that his opinions formerly were decidedly in favour of the system which was said to have been attended with such disastrous consequences, but those opinions had been greatly shaken in consequence of facts which had recently come under his observation. He trusted, however, he might fairly say, that his mind was free from prejudice, and that he was prepared to go into a Committee, if one was granted, in the spirit of candour, and with an inclination to hear and judge from the best information that could be had on all sides of the question. He considered a Committee on this subject indispensable, because, by that means, the House and the country at large would become acquainted with the details of suffering and distress which the changes made in 1826 had brought upon persons engaged in this trade, a history of which, from an earlier period, might explain the source of the mischief done, and point out measures to prevent its continuance. He had documents by which he would prove to the House, that the poor-rates in all the districts in which the silk manufactures had been carried on, had been progressively increased to an enormous extent, in proportion as the number of spindles in use had decreased; and he would enable the House to trace the intimate connexion between the decrease of labour, increase of poor-rates, and the overwhelming misery which now prevailed in Macclesfield, Coventry, and St. Matthew, Bethnal-green. By referring to the amount of the poor-rates expended in the parish of Macclesfield, it appeared that the gross expenditure of the poor-rate for that parish in 1825, was 4,201*l.* 18*s.*; in 1827, it amounted to 7,810*l.* 11*s.* 4*d.*; in 1830, to 8,670*l.* 17*s.* 5½*d.*; and, in 1831, to 6,673*l.* 8*s.* 2*d.* Again, he found that the amount paid to the casual poor in each year had also greatly increased. Thus the sum paid in the first week of 1824, for casual poor, was 7*l.* 19*s.* 10*d.*; in 1827, it amounted to 45*l.* 17*s.*; and, in the first week of 1832, the amount paid was 85*l.* 0*s.* 2*d.* Again the number of families receiving relief at Christmas, 1824, was 50; at Christmas, 1831, no less than 511. The number of spindles employed in January, 1824, was 276,000; and in January, 1820, the number had diminished to 117,192. The number of mill people employed in January, 1824, was 10,229; at the same period of 1832, 3,622. Again, the average weekly earnings of each person, clear of all deductions, was, in 1824, 15*s.* 6*d.*; in 1831, 6*s.* The number of factories in Macclesfield and its neighbourhood, or places occupied as such, in 1814, was thirty-two; in 1823, fifty-eight; in 1826, seventy; and in 1832, seventy-one. Again, the number of silk factories occupied in Macclesfield and its neighbourhood was forty-one; the number unoccupied, thirty. According to some extracts from a Report on the ribbon trade, the poor-rates in Coventry, in the year ending April, 1826, was 11,232*l.* 14*s.* 4*d.*; the poor-rates for the same period in 1831, were 20,314*l.* 5*s.* 6*d.* The charge for casual poor in the year 1826, was 2,069*l.* 3*s.* 3*d.*; the same charge in 1831, was 4,087*l.* 4*s.* 10*d.* In the parish of Foleshill, the general poor-rates for the year ending March, 1826, was 1819*l.* 8*s.*; and for the year, ending March 1831, they were 3,462*l.* 18*s.* 4*d.* The charge for casual poor for the year ending March, 1826, was 527*l.* 6*s.* 11*d.*; in 1831, 1,536*l.* 2*s.* 10*d.* In the parish of St. Matthew, Bethnal-green, the number of poor in the workhouse in 1824, was almost 450; the number in the workhouse in 1831, was 1,100. The number of poor relieved out of doors weekly, was, on the average, in 1824, about 150; in the year ending January, 1832, the number amounted to no less than 6,142. The relief given weekly in 1824, was in the proportion of twenty to about 500, in 1831. In 1824, the parish owed nothing; in 1832, it was in debt 13,000*l.* In the Spitalfields district there were, in the beginning of 1832, 15,000 looms, of which there were at present nearly 6,000 out of employ, and the rest were only half paid. He thought that these facts were sufficient to justify the demand for an inquiry into a system to which such consequences were imputed. He must express his regret that a late right hon. Gentleman, whose loss all must deplore, was not still in existence, and in his place in that House; for he thought that he would now be willing to profit by the six years' experience which the country had had of the evil effects of the regulations of 1826. He was fully convinced that the confidence of that great man in the success of the system of free trade, which he urged with so much ability, would be greatly shaken. In order to trace the cause of the present distress, he begged to call the attention of the House to a paper which had been prepared by a gentleman of great acuteness and research, who had turned his attention to the consideration of the present state of the silk trade. This gentleman, well known to many Members of this House, was, on all occasions, ready to come forward with personal assistance or pecuniary aid. That gentleman was Mr. Alexis Doxat. The document to which he intended to refer was a progressive comparison of the quantities worked up by our silk and cotton manufactures, from 1815 to 1830. He should also be able to show, from this gentleman's documents, that wages had been far less since 1826 than they were before that year. He trusted, also, to be able to prove to the House, that the silk trade, up to the year 1826, was in a state of progressive improvement, and that, since that period, it had been gradually declining. It appeared, from this statement, that, on the average of three years, from 1815—1817, to 1818—1820, the increase of silk manufactured was thirty-one per cent, against an increase of only twenty-two per cent in the cotton manufacture. Again, on the average of the six years, from 1815—1817 to 1821—1823, the increase in the silk trade was seventy per cent, against forty-eight per cent in the cotton trade. On the average of eight years, from 1815—1817 to 1824—1825, the increase in the silk trade was 155 per cent, while the increase in the cotton manufacture, for the same period, was only eighty-three per cent. Thus, it appeared that the increase was two to one in favour of silk. Again, on the average of five years, from 1826—1830, there was altogether an increase of only fifteen per cent in silk, against thirty-seven per cent in cotton. The average amount of wages, duties, profits, &c., stood thus:—for 1815—1817, three years, at the average of 2,073,000*l.* per annum; for 1818—1820, three years, at the average of 2,719,000*l.*, per annum; for 1821—1823, three years, at the average of 3,514,000*l.*, per annum; for 1824—1825, two years, with low duties, and the same rate of wages, at the average of 4,300,000*l.*, per annum; whilst the average per annum of the five following years, 1826—1830, had been about 2,700,000*l.*; and 1829—1831, of about 2,500,000*l.*; instead of being at the rate of 1824, or 6,000,000*l.* per annum. These facts were sufficient to show that a Committee was required. There had been occasional distress in several branches of our trade and manufactures; but it must now be tolerably clear to the House, that the distress in the silk trade had been gradually increasing since the adoption of the regulations now complained of, in 1826. The silk trade was first carried on in the reign of Edward 3rd. In the time of Henry 6th, a number of regulations were made, for the purpose of protecting the rising manufacture of silk in this country. In the following reign, the Acts were not enforced, and the consequence was, that a number of workmen were thrown out of employment, and great distress prevailed in the trade. The Acts were then enforced again, and this system continued for a century. In the reign of James 1st, the broad silk manufacture began, and, at that time, the Company of Throwsters was first incorporated. In 1661, the silk throwsters employed no less than 40,000 men, women, and children; the trade had, therefore, at least, the claim of antiquity in its favour. In 1685, there appeared one of those Acts which arbitrary Governments were so apt to commit in their short-sighted policy, without considering the consequences of their conduct; he alluded to the revocation of the Edict of Nantes, the effects of which led to the firmer establishment of the silk trade in this country. It continued to prosper until the year 1765, when, in consequence of the non-enforcement of the protecting enactments, the distress of the manufacturers became so great, that it was found necessary to impose restrictions on the importation of foreign silks. In 1776, it was deemed necessary, as the restrictions were not found to be sufficient, to resort to prohibition. This continued to 1809, when the prohibitions on the importation of foreign silks were voted perpetual. This continued to 1824, when, in consequence of the advance that had taken place in the silk manufactures of the country, it was thought right to remove some of the restrictions on the importation of foreign silk.

Several resolutions were passed in 1824, and they were brought into operation in 1826. It would be recollected that the removal of these restrictions was most violently opposed by the practical men, and their anticipations had unhappily been fulfilled to a very great extent. He must say, with regard to these gentlemen, that he had never met with a body of men less influenced by private considerations. They, as all men must, regretted the distress which unhappily prevailed in the silk trade, and they were desirous of having the causes of that distress removed. They were, however, actuated by the greatest liberality of feeling; and if they were convinced, that the system would work for the benefit of the whole community, they would willingly yield up their own interests to the general welfare. But as they were convinced that, if this system of free trade was persisted in, it would lead to similar distress in other branches of our manufacture, they urged the House to abandon a system which would be attended with such disastrous consequences.

"Non ignara mali, miseris succurrere disco."

The Report of the Committee of the House of Lords, appointed in 1821, to inquire into the means of extending and securing the foreign trade of the country, stated,

"It appears certain that, without some artificial support, this manufacture (referring to the silk trade) could not, in former times, have been introduced or maintained, with any success, in this country; and, as long as our principal supply was derived from a part of Europe so much nearer to France as Italy, all competition, in its own favourite branch of manufacture, with the former country, which produces, at the same time, so large a proportion of the raw silk which it consumes, must have appeared entirely hopeless. But now, that the supply from our own possessions in the East Indies is annually improving in its quality, and its quantity appears increasing to almost an unlimited extent, it may not be unreasonable to expect that the skill of our artisans, the influence of our capital, and the perfection of our machinery, should be as successfully applied to this as to other branches of manufacture, in which we can, with facility, command a cheap and certain supply of the raw material."

The House would perceive, that the restrictions were removed on the ground, that we could enter into competition with the foreign manufacturer, in consequence of the skill of our artisans, the influence of our capital, and the perfection of our machinery; but how had this experiment succeeded? The skill of our artisans and the perfection of our machinery were nearly the same thing, and, certainly, no one would estimate both higher than he did; but these, with the almost unlimited supply of capital in the hands of our manufacturers, had been of no avail. There was a very considerable difference between the cotton and silk manufacturers, and circumstances had operated to prevent the extension of the latter. He had heard of several instances where the best workmen had been engaged, the most perfect machinery erected, and a large capital employed in the silk trade, and yet those who had attempted to carry this system into effect had completely failed. It was clear, therefore, that the English could not compete with the French silk manufacturer in several most important articles. One of the gentlemen engaged in a respectable house in the silk trade, Messrs. Ames and Atkinson, who, with all the circumstances in their favour, were, after the sacrifice of an extensive capital, compelled to abandon their undertaking, was asked in the Committee,

"In what year was the factory at Battersea put to work?—It was put to work in 1826, with a determination, if possible, to compete successfully with foreign goods.

"What did the buildings and machinery cost?—About 19,000*l.* We purchased the buildings for about 3,000*l.*, which was much below their original cost, and we erected the machinery ourselves.

"Was a French artist employed, and what was his name?—Several French artists were employed under a Frenchman named Guillot.

"What was the nature of the machinery?—Some of it was for plain, and some for figured ribbons.

"Were the plain looms upon any improved principle?—Yes; they were *bar* looms of the very best description, and such as are generally used in France.

"And what were the figured looms?—Some of them were the common Jacguard, and others were an improvement upon the Jacguard.

"Was the whole of this machinery of the newest and best principle known in France?—Yes, it was.

"What was the amount of capital employed in your house?—Upwards of 100,000*l.*

"What were these premises and machinery sold for, and when were they sold?—The whole buildings and machinery were sold for 5,050*l.*; they were sold in January, 1830.

"How many years has your house been in business?—Twenty-five years."

Here was a case in which the skill of the artisan, the perfection of our machinery, and an extensive capital were brought into requisition, and yet the undertaking completely failed. Thus the wonderful success anticipated by the Committee of the House of Lords was anything but realized. Undoubtedly, it might fairly have been anticipated, that a portion of capital could be advantageously employed, but it had been found in this case, that, instead of reproducing itself, it had been lost, and a serious check had been thrown upon the productive industry of the country. The prospects of the trade for the future were, in his opinion, most gloomy; and if the present regulations were to be continued, he saw no remedy for the overwhelming distress which prevailed among the artisans, nor any hope of their future comfort or happiness. He did not mean to say, it was impossible for the trade to rise again, but, as long as the deterioration in the value of the silk goods of English manufacture continued, the prospects of the trade could not improve. Every one must be aware of the difference between a brisk and a slack trade; for, although the profits on the sale of goods might be nominally equal in both, yet the manufacturer was always better off with the former. Many of the measures of Mr. Huskisson were attended with considerable benefit to the country; but other plans of that right hon. Gentleman had completely failed. Let France flourish, by all means, but not at the expense of England. It might be said, that we had derived considerable advantage from the former commercial treaty with France, in 1786. This treaty, at the same time that it removed many of the restrictions from the trade between the two countries, provided for the security of such of our manufactures as required protection. He had been informed, that a gentleman was sent down to Macclesfield from the Board of Trade, who was for some time engaged in inquiring into the nature of the distress that prevailed there. He was asked, on his return, whether he could suggest any remedy for the existing distress; and he replied, that, in his opinion, the panacea for all the evils the manufacturers now laboured under, was a repeal of the Corn Laws. But, besides the memorial which he had placed in his hon. friend's hands, bearing upon this point, he had, on that day, presented a petition from the broad silk weavers of Manchester, Salford, and other places, positively denying that the silk trade was in a flourishing condition there, as was asserted in a public document. Perhaps, he had trespassed longer on the attention of the House than he ought to have done; but there were still a few points upon which he wished to make some observations. Passing by that part of the case connected with the trade of Spitalfields and Coventry, which would be treated of by an hon. Alderman, and the member for Coventry, ten thousand times better than he could treat it, he would notice some points which might be taken up as grounds for defending the present system. It was urged against an hon. friend of his, the other evening, when pressing this question upon the House, that he advocated the interests of a particular class only, and, perhaps, that argument might at present be produced again; but he thought that the class whose claims he attempted to advocate had a right to be considered as well as others; and the question was simply this, whether silk should be sold in this country at a high rate and our labourers and artisans flourish, or whether it was to be sold cheap, to be within the reach of the lowest classes, and our manufacturers and artisans should be ruined, and reduced to want and starvation. After what he had stated, he hoped the House would see the necessity of immediately taking this subject into consideration. The principle of existence in nations appeared to bear some resemblance to the principles of life. Both had their seasons of youth, mautrity, and old age. Athens and Carthage were once young, and, in their youth, were flourishing; in their maturity, powerful; but old age came, and their vigour sunk; such, also, was the case with Rome. England, then, must recollect that she was not a new country,—that her own youth had long since passed, that, in her maturity, she had been raised to the highest pitch of greatness among nations; but she must remember, too, that this was a doubtful position—that she could not continue in the place where she now was—that she must either advance or recede—and that, if she would not do the latter, her population must be maintained in its present industrious pursuits. He implored the House well to consider the situation in which they were placed. He humbly and unwillingly, but sincerely and earnestly, entreated his Majesty's Ministers to pay attention to the request now made to them. By the sad reflections of the past—by the awful aspect of the present—by the gloom which hung over the future—he solemnly and sincerely implored the House to attend to the prayer of these unfortunate men. He would only add, that his motion was not exactly in the terms of which he had given notice, but his object being to relieve the distress which prevailed throughout the country, its effectiveness would not be, on that account, lessened. He begged leave to move, "that a Select Committee be appointed to inquire into the condition of the silk manufacture of Great Britain."

Mr. *H. Lytton Bulwer* said, whoever had heard the able and statesmanlike speech of the noble Lord who had just sat down, must be satisfied that he had shown, that, in every place at all extensively connected with the silk manufacture, whether it was Macclesfield, Congleton, Bethnal-green, or Spitalfields, great distress (whatever might be the cause) did really exist. Manchester was, in some degree, an exception to this remark; but if he was rightly informed, the silk manufacture at Manchester could not greatly interfere with the trade of Spitalfields. The silk manufacture there was of a much coarser, commoner, and cheaper nature; so that it was not likely that any lady would purchase, instead of the satin or velvet gown she could get at Spitalfields, the two or three servants gowns which might be bought for the same price of the Manchester manufacturer; on the contrary, it was much more likely that the servant maid would purchase, instead of her two cotton gowns, one of silk of this cheap description, which had many advantages in point of economy. The fact, therefore, was, that the silk manufacture of Manchester rather interfered with its own cheap cotton manufacture than with the expensive silk manufacture of Spitalfields. In respect to Coventry and the ribbon-trade, concerning which the noble Lord had referred to him, its distress was so notorious that he should hardly trouble the House by speaking of it, were it not for the purpose of mentioning a few facts which could not be generally known. All the silk used in the making of ribbons was dyed at Coventry; and he had ascertained that the quantity dyed in 1824 and 1825 was almost the same as in 1830 and 1831. He could mention this fact, first, because it led to the natural question—"What reason, then, have you to complain, when the quantity of silk made into ribbons is the same now as it used to be?" The simple answer to that question was, that the ribbons now made were of a thicker, stouter description than those formerly made, and required a double quantity of silk. But only the same quantity of silk was used now that was used at that time. Consequently there could be only half the number of yards of ribbon made, compared with what there used to be manufactured, and, therefore, only half the number of persons employed; or, what was the same thing, a great number must be thrown upon the parish, and the wages of the remainder much reduced. In proof of this, the wages of weavers of one class of ribbons had fallen from twenty-five to thirty per cent; of another, from thirty to thirty-five per cent; and of a third—those employed in the manufacture of gauze ribbons—to the actual amount of sixty-five per cent. In the same manner he was borne out by what his noble friend, in the course of his statement, had said with reference to the increase of the poor-rates; and he had reason to believe his right hon. friend, the Vice President of the Board of Trade, had also obtained some information upon this subject. He most likely would notice some extraordinary charges upon the rates, and say they ought to be deducted from the charge actually occasioned by the poor; but, as those charges were always made, he must, if he meant to compare the poor-rates of the present day with the amount of any former period, deduct those charges in both instances, or in both instances let them stand. Neither could it be said of the ribbon trade that it had gone elsewhere; Coventry had no Manchester—no English or British rival; unless, indeed, his right hon. friend, who had been anxiously sending about the country to find out the spot of its emigration, should have found it blushing unseen in some obscure nook of the country, whence it might venture forth this evening, perhaps, under his special patronage and protection. As he had just stated that the quantity of silk dyed was no criterion of the quantity of ribbon manufactured. He would also take the opportunity of contradicting the idea that any increase in the number of pounds of silk imported was any proof, as might be supposed, of an increase in the quantity or value of manufactured silk. There had been an increase in the importation of silk; and hon. Gentlemen were apt to imagine that a pound of silk was like a pound of iron, or of any other similar commodity, and represented the same amount of capital and employment, one pound with another. It happened, however, that the great increase in imported raw silk, was in the heavy and coarse descriptions of silk which came from Turkey and Bengal, one pound of which would only yield 86,000 yards, fit for an inferior fabric; whereas a pound of the finer Italian silk would frequently make 200,000 yards, applicable to the most expensive manufactures. It was evident, therefore, that a pound of the finer silk would make a much greater quantity of silk, and that of a more valuable quality, than a pound of the coarser kind; while, in respect to the employment given by each, a fact had been communicated to him by a silk-manufacturer, which he would take the liberty of stating. It appeared from his books, then, that, in 1824, he paid 75*l.* for labour in money upon 25lbs. of silk, while, curiously enough, in 1831, the case was exactly reversed, as he paid 25*l.* for labour on 75lbs. of silk. An increase in the quantity of silk imported, therefore, though always assumed as such, was no kind of proof in fact, of the state of the manufactures, or the condition of the weavers. To return to Coventry—the same want of employment for looms, and the same consequent depreciation in wages prevailed in that city as elsewhere. Out of 20,000 looms in that town, 12,000 were unemployed; some, which cost 30*l.* in making, were sold for 10*l.*, and others, which cost 50*l.*, sold for 20*l.* and 25*l.* His right hon. friend might say, that this was not the first time we had had distress in the silk trade, for that it had been heard of even in the halcyon times of prohibition. But the right hon. Gentleman, to make that fact an argument, must show that the causes of that former distress were the same with those which had produced the distress of the present time; and therefore, that, as distress was merely temporary then, it was not likely to be perpetual now. There was distress in 1815 and 1816, naturally occasioned by the return to a state of peace from a state of war, the increased competition of labour, and the opening of trade with France, which, during that war, England had exclusively possessed. In 1818, again complaints were heard, occasioned by the death of the Princess Charlotte, and the long mourning that followed, which rendered all the ribbons manufactured for the spring trade entirely useless. In 1826, also, just prior to the introduction of French goods, the fear of what might result from the proposed alteration of the law went beyond any calamity to be apprehended from the measure itself; at all these times the distress was temporary as its causes; and if the House imagined that a similar case existed at the present time, he would not recommend it to assent to the Motion of the noble Lord. But the manufacturers asserted that their calamities were not of this temporary nature—they saw, or imagined they saw—in the source of these calamities, a probability of their continuation and increase. In short, they contended, that it was impossible for the manufacturers of this country to continue, under the existing regulations, to compete with the French manufacturers, on account of the innumerable advantages which they possessed over the English, and not to be acquired by them. In the first place, there was the cost of production. The protection of 3*s.* 6*d.* per lb. to the English throwster was reduced by the export duty of 10*d.* paid in the Italian ports, and 2*d.*, the present value of the debentures, to 2*s.* 6*d.* Still the French manufacturer got his Italian thrown silk more than 2*s.* 6*d.* cheaper than our manufacturers did. Besides this, France had silk of her own of a most valuable quality, of which, while we allowed the introduction of her silks and ribbons, she, under severe penalties, prohibited the exportation. Again, the expense of constructing a design or pattern fell considerably heavier upon the English manufacturer than it did upon the French. If any fancy article of a particular pattern be produced in too great a quantity, the value of the whole pattern is deteriorated. A haberdasher, therefore, goes to a manufacturer, and agrees with him for a certain quantity of silks and ribbons of a particular pattern, conditioning that he shall sell none of that pattern to any other English House; but the English manufacturer had only the English market. The French manufacturer's market, on the other hand, was in almost every country. If, therefore, a London haberdasher ordered of him fifty pieces of silk, of a particular pattern, conditioning that he should supply it to no other House in England, he could still send twenty pieces to Hamburgh, thirty to Petersburg, and more elsewhere, of course spreading the expense of the pattern over a wider surface. But his right hon. friend would, no doubt, say, we had a large protecting duty to counterbalance these advantages;

but even in that respect they were still unfortunate. This duty was levied either on the pound weight of silk, or on the value of the article; but, as it was of course difficult for a Custom-house officer to price an article, the value of which depended upon fancy and fashion, it was usual to levy the duty upon the weight. Now, there was often no correspondence between the value of the commodity and its weight. It would happen, therefore, —and he had ribbons in his hand to prove it—that an article paid only fifteen or sixteen per cent duty, instead of thirty per cent; then, making allowance for the *2s. 6d.* per pound protection of the throwsters, which was equal to four or five per cent, the protection to the manufacturer was actually reduced to ten or eleven per cent. It was not, therefore, only against the principles of his right hon. friend, but against his adaptation of those principles, that they had cause to complain. The protection was really only one-third of what he promised, while those doctrines of free trade were not applied in favour of the home manufacturers, by which they could obtain the raw material cheaper, as he had already shown the charges upon raw silk were much greater than those to which the foreign manufacturer was subject. But, even if the cost of production could be equalized by any fair and well-executed protecting duties, there would still remain the almost overwhelming advantage — which the influence of the French fashion gave to the French manufacturer. Nor did this depend merely upon the silk or ribbon itself; any superiority in the taste or skill of the French milliner gave a superior value to every art she employed, and since the French milliner was more skilful and tasteful than ours, and since the French ladies, in consequence, set the fashion to ours, it followed, as a matter of course, that if nothing but green silks and ribbons were to be seen in the spring or summer seasons at Paris, it would be perfectly useless for us to have made the prettiest brown ribbons or silks in the world. A singular instance of this occurred shortly after the prohibition upon silks was taken off. The French, who had been trying various methods of cheapening their manufacture, found out one of dyeing the silk without discharging the gum, by which they gained four ounces on every pound. The disadvantage of this method, however, was, that the silk was dead, and by no means of so lustrous and beautiful an appearance as it acquired by the ordinary process. No sooner, however, was this dull-looking silk sold in England, as of French manufacture, than its very defect was considered a peculiar charm, and, for some time, until, indeed, this method of dyeing was discovered and practised in England, no person would purchase the richer and more glossy silk. It was unfashionable, because it was not French. So, in ribbons—a Mr. Merry, last spring season, was selling a lutestring ribbon at *60s.* the piece. It was much admired and sought after: when a French ribbon made its appearance. It was of much the same colour as the English ribbon; but it was a satin ribbon, instead of a lutestring. From that moment the poor lutestring was hardly looked at; it was sold with the greatest difficulty for *30s.*; while Mr. Merry was subjected to the sad necessity of seeing the rival article sold for *72s.* Nor was this passion for French goods simply confined to ladies of a certain class or description. He would venture to say, that there was hardly a female in town who would be seen, if she could help it, with an English ribbon; he had it as a fact, from a well-accredited house in the City, that, on being sent to the other day by a milliner, in a small way, in a little village, in one of the least inhabited parts of Northumberland, for a stock of ribbons, and on, unfortunately, sending some English ribbons, he not only had his ribbons disdainfully returned to him, but the milliner declared that, for the future, she must withdraw the whole of her custom from so ungenteel an establishment. In consequence of this, the manufacturer of France proceeded with his work in the certainty that he should obtain purchasers in the English market; in fact, his goods were all sold beforehand, while the English manufacturer could get no order in advance from the haberdasher, and if he made his goods, and brought them for sale, he was told by those who had not yet ordered French goods, that they must wait till it was seen what the French fashions were; while it was clear that a person, who had already given his orders for French goods, would recommend and sell them before he allowed a single English ribbon to pass through his hands. These circumstances, in connexion with the peculiar quality of that French silk, which was not to be obtained here, had induced the ribbon manufacturers, and some part of the fancy silk-trade, to imagine that their best resource would be in prohibition. They said, supposing the smuggling system were to continue, which was the greatest evil feared from prohibition, one of two things must happen; either the French goods would be of a different description from our own, and, consequently, be immediately detected as foreign, or, to escape detection, they would be more similar to our own; in which case as the French would be following and imitating us, instead of we following and imitating them, we should be placed in that advantageous position over them, which they now enjoyed over us. He stated this argument, because it had some force, and the parties concerned laid great stress upon it. At the same time, all that the ribbon manufacturers were anxious for at this moment was, to obtain a Committee to inquire into their case in hopes that thereby they might obtain some relief. They did not presume to say what that relief should be, but some must be given, if the utter and immediate ruin which would otherwise fall upon those who were engaged in this branch of our manufactures was to be prevented. He saw no reason why one produce of our skill and industry should not be protected as well as another. What might be the species of protection requisite for each, must, of course, depend upon many peculiar circumstances. He was willing to admit that, where it was possible — by driving the English manufacturer into severe competition with the foreigner, so to operate upon his exertions as eventually to give him possession of the foreign markets—that it might be sound policy to inflict an immediate and individual evil, for the sake of the general advantage that would follow. But where it was impossible even to enter into successful competition in another market—there the most wise and prudent course was, to give such protection to our producers, providing their interests were not greatly at variance with those of the great body of consumers—as might preserve them against foreign monopoly in our own markets. The ribbon manufacture was one peculiarly of this description; it was the manufacture of an article of mere luxury. If any hon. Gentleman doubted whether we could really compete with the foreigner in this article, let him pay a visit to Coventry, taking with him that important French document which so pompously set forth the prosperity of the French ribbon manufacturer at St. Etienne, and that prosperity, too, declared to be the consequence of increasing orders from England. He knew there were some Gentlemen, however, whom mere ocular demonstration of this kind would not convince; they had an easy kind of way of imbibing a theory, and then, in order to prevent their minds from being unsettled, they made it a rule to pay no attention to its practice. They reminded him of the physician in Sterne, who, when he heard that his patient was dead, held a dispute of two hours with the nurse and the undertaker to prove that he ought to be alive. So, if he could show these hon. Gentlemen the people of Spitalfields in actual insurrection, and the city of Coventry in ruins, they would tell him, with the most complacent air imaginable, to make his mind perfectly easy, for that the one ought to be happy and contented, and the other in a state of the greatest prosperity. Other Gentlemen might, with greater plausibility urge that, where a manufacturer required all this excessive care and protection, it must be uncongenial to the country, and that it was, therefore, better to allow it to be destroyed, and the capital embarked in it invested elsewhere. Certainly, if they were now deliberating on the first establishment in this country of a manufacture which required such support, he should perfectly agree with these hon. Gentlemen; but they must take the case as it was; and the facts such as they were; and, first, in regard to withdrawing capital from these uncongenial manufactures, and giving it a new and more profitable direction. Admitting that that part of the capital which could be thus withdrawn might be employed more advantageously elsewhere, they must deduct from the profit made by labour becoming more productive in one place, the loss which was sustained by individuals being thrown out of employment in another, and, therefore, to be supported by the poor-rates. Thus the gain to the individual was not all sheer gain to the community; and while the general gain was obtained by the richer man becoming more wealthy, the whole of the general loss was sustained by the poorer man, whose fortunes were already far on the decline. He was aware that there was a natural tendency to changes and such fluctuations of business, but they were not always so generally advantageous as some Gentlemen supposed even in a commercial point of view; while he was quite certain that there were many political reasons which should induce us to place some kind of check upon their too great facility. A great nation had been compared to a great individual merchant, and, in some points, the same principles might be applied to both; but it was erroneous to do so in all cases. It was not the only object of a nation to increase its wealth; the maintenance of order and tranquillity ever influenced by sudden transitions from wealth to indigence in different classes of the community, was not an object to be forgotten or overlooked. If, in a thickly-populated country, like this, capital was to be perpetually urged by every petty impulse into a new direction—if it was adopted as a principle, that large bodies of men, on the slightest variations of trade or fashion, not only in this country, but throughout Europe, were to be perpetually thrown out of employment, they might have what form of Government they pleased, but they would be practically living in a perpetual state of anxiety and confusion. No power on earth would induce men submissively to bear evils for the sake of the good which others were to derive from their sufferings, and there were at this moment those habits of regard and communication between the working classes in this country, that it was impossible to render any part more desperate, without their feelings being in a great degree participated in by the whole. These were circumstances which it was surely of consequence to take into consideration; more particularly at the time when these classes were to receive a greater power in the State than they had hitherto possessed. He was not addressing himself to the Vice President of the Board of Trade or to his Majesty's Government; they had recognized much that he had ventured to say, in the course they pursued upon the truck question, as well as in many other parts of their commercial policy. If the interest of the consumer was to be wholly regarded in anything, it would most assuredly be in the cheapness of that article which was the main support of life: for this reason he had voted, and, as long as our commercial regulations remained the same, he should ever vote, for every motion that tended to reduce the price of corn; not so much, perhaps, because he was convinced that its free and sudden importation would be a wise and just measure in itself, as because its present prohibition—for prohibition it was practically—was an act of great relative injustice. He would not trouble the House further; but, before he sat down, he should wish to correct himself, if, in any expression he had used, there had appeared the slightest disregard or disrespect for the principles of those great men who had made the wealth of nations their peculiar study. These were his feelings. Mr. Canning, in speaking of these illustrious persons, spoke of them as placed on heights from which alone they could take an extended view of human nature. It was from the very circumstance of this their extraordinary elevation—it was on account of the distance at which they were from the objects at which they were looking—that, while the main features of the prospect arrested their attention, its minor parts were overlooked, and all its inequalities were rendered level to their view. But the traveller, who had to pass over the country which they had been viewing would find a great deal of difference between the ground he had to traverse and its distant appearance, and would choose a very different, and, in all probability, a far more circuitous path to his destination than the eye, merely looking down from an eminence, would naturally have chosen. This must always be the distinction between the statesman in speculation, and the politician in action; nor did he see why a difference, necessary to the qualities of each, should take away from the merit of either. In that House they met to act, and not to philosophize; nor had it ever been the custom of that assembly to speculate on a distant good that might possibly arrive, rather than apply a practical remedy to an immediate grievance. Surely, then, if present expediency had never hitherto been disregarded in the course of policy the House had, at various times, been called upon to pursue, there never was a time in which it could be less expedient to render desperate men more desperate—or reduce famishing men to a greater certainty of starvation—than a period like this, when great political excitement was abroad, and when an awful pestilence had already made its appearance, which the many miseries of poverty fatally encouraged, if they did not actually engender it.

The Motion having been put,

Mr. *Poulett Thomson* said, that in one sentiment which had been expressed by his noble friend opposite he fully and cordially concurred, and that was the regret which he felt that his late right hon. friend, Mr. Huskisson, was not now alive to defend the policy which he had introduced into the commercial system of this country. Deeply indeed did he (Mr. P. Thomson) feel the loss of his right hon. friend, when he, humble as he was, found himself suddenly called upon to do that which his right hon. friend, with his great talents and experience in business, would have done so much better. Though he did not think it necessary that the great principles which his right hon. friend had so ably advocated and supported should be at all called into question in this debate, still he could not refrain from regretting that an abler supporter of those principles than himself should not be called upon to explain their developement, and to defend their results. If by those principles were meant what hon. Gentlemen had adverted to in this discussion, and what his hon. friend, the member for Coventry, had said was vulgarly denominated the principles of free trade, he would only say, that those principles were not necessarily called into question when the House was called upon to examine into the arrangement of duties, which were said to be nominally thirty per cent, but which were alleged to be actually, and practicably, much less than that amount. It was not his intention, as he had already intimated in private to his noble friend, to oppose, on the part of the Government, the appointment of a Committee to inquire into the state of the silk trade. He found it, however, necessary to alter the terms of his noble friend's Motion, not with a view of limiting its extent, but rather with a view of increasing it, by uniting with it a subject with which it was naturally connected, and on which the hon. and learned member for Corfe Castle had already given notice of a motion—he meant the consideration of the best means of preventing smuggling in articles of silk manufacture. Under these circumstances, he should not have troubled the House at much length, had not his noble friend entered into a vast variety of details, and drawn numerous conclusions from them, with which he found it impossible to agree. It was, therefore, necessary for him to go more at length than he had originally intended into the details, to show that it was not in consequence either of those details, or of the conclusions drawn from them, or of the view with which those details and consequences were stated, that his Majesty's Government had acceded to the appointment of this Committee. Whoever had listened to the speeches, not only of his noble friend, the member for Cheshire, but also of his hon. friend, the member for Coventry, must have seen that they were actuated by the best and purest motives, residing, as both of them did, near places where the silk trade was carried on, and where, unfortunately, great distress prevailed, and obeying, as both of them did, the wishes of their constituents, in pressing this subject on the attention of the House. His hon. friends had done no more than justice when they stated their belief, that the Government sympathized deeply with the distress which had fallen upon their respective constituents. He readily admitted the existence of this sympathy on the part of Government, but he could by no means admit, that the condition of the silk trade was so deplorable as they had represented it to be, or that there was any thing in the condition of that trade which had not occurred over and over again; and which was not, if he might use such an expression, adherent to its character. His hon. friend, the member for Coventry, seemed to be aware of this when he remarked, that distress had been of frequent occurrence. It became his (Mr. Poulett Thomson's) duty to touch upon several instances of this nature, when the state of this trade had been brought before that House. In the year 1793, it was stated, that not less than 4,000 looms were out of employment in Spitalfields. In the year 1795, similar distress prevailed. In the year 1810, the distress in that district was so great, that no less a sum than 20,000*l*. was voted from the public coffers to relieve it. Again, in the year 1817, the pressure of distress was very great. Shortly afterwards, namely, in the year 1819, a Committee of that House was appointed to inquire into the cause of the distress, which then, as formerly, impeded the progress of the trade. All these periods of distress had occurred during the period which his hon. friend, the member for Coventry, had denominated "the happy period of prohibition." Since the time that prohibition had ceased, the country had heard of the recurrence of distress in a regular cycle of years; but there was not an iota of proof that there had been more distress since the prohibition was taken off, than there had been before. His noble friend had told the House that it was incumbent upon the Government to prove that the distress, which was now so prevalent, arose from the same causes as the distress which had formerly existed in this trade. To that assertion of his noble friend he said no. His noble friend attributed the distress to the change which had been made in our commercial system; now, as no person could prove a negative, it was necessary that his noble friend should prove that the distress did arise from that cause, and from no other. His noble friend had read a great variety of documents, in order to prove, that up to the year 1821, the silk trade had been in a state of progressive increase, and that since that time, it had been in a state of progressive decline. The House could not fail to recollect, that, in the year 1824, a bill was introduced by the late Lord Liverpool's Government, which proposed to reduce the duty on thrown Italian silk from 14*s.* 3*d*, to 7*s.* 2*d.* per lb., to take off the prohibition on manufactured silks, and to fix duties upon them formed upon a calculation of the *minimum* of the cost of smuggling, with a view of putting an end to the contraband trade. It was said, at the time, that the result of taking away the prohibition would be the inundation of the country with French silks, and the robbing the throwster, not only of employment, but also of subsistence. Time was, therefore, asked to enable him to withdraw his capital from the trade, and to guard against the effects of this expected inundation. Time was accordingly given him; and, unfortunately, it was granted at the same moment when the duty on the raw material of the thrown silk was to be taken off, while the prohibition on the manufactured article should not be withdrawn till the year 1826. What was the result? Was any reduction made either in the employment or the capital of the throwster? Quite the reverse; for the throwster increased, in the most imprudent and extravagant way, both his capital and his employment. To such an excess was this carried, that the manufacturers of Macclesfield even advertised for workmen to come and settle in the neighbourhood of that place. He would now proceed to show that, even supposing that increase had been prudent —and imprudent it most certainly was, for we had no right to anticipate the great consumption of silk which ensued—there had been a very undue increase of employment for the establishments then in existence. If he could show that the raw material which the throwing establishments had to consume, had increased immensely since the alteration of the law, he should be able to show that if there was now distress in the trade, it could only arise from over-speculation, and, consequently, that the parties who complained of it had only themselves to thank for it. He would not trouble the House with a long series of figures upon this occasion; but as his noble friend had quoted figures, perhaps the House would permit him (Mr. P. Thomson) to do the same. He would take the five years previous to 1824, and the five years subsequent to 1827; for he would reject the years 1824 and 1825, because they were the years when the new law did not operate. There were entered for home consumption in the years—

1819	1,440,000	lbs. of raw silk.
1820	1,620,000	
1821	1,864,000	
1822	1,993,000	
1823	2,051,000	

There were entered for home consumption in the years—

1827	3,559,000	lbs. of raw silk.
1828	2,912,000	
1829	2,491,000	
1830	3,771,000	
1831	3,360,000	

Having stated the quantity in each of those periods of five years, he should now state the average of those years, and he entreated attention to the statement, because, if there was one fact more convincing than another, it was the fact that the average importation had increased in the five years subsequent to the admission of the foreign article, as compared with the importation of the five years preceding the change in the law. The average of the five years from 1819 to 1823, including raw and waste silk, was 1,873,000lbs. and the average of the five years from 1827 to 1831, was 3,739,000 lbs., being an increase in the importation of raw silk to the amount of nearly 100 per cent. What had the throwster to complain of besides: His hon. friend said, "the competition of the foreign throwster." On that point he wished to call the attention of the House to the strong fact—that while the duty on thrown silk had been diminished, till the throwster said, that he was injured seriously by its diminution, the consumption of home-manufactured silks had greatly increased. The alteration in the duty took place in 1829. The duty was reduced from

7*s.* to 5*s.*, and afterwards from 5*s.* to 3*s.* 6*d.* It appeared, however, that, in three years before the change of duty took place, namely, in the years 1826, 1827, and 1828, the amount of thrown silk imported was 376,000lbs., whilst, in the three years subsequent to the alteration—the years 1829, 1830, and 1831—the quantity of thrown silk imported was 374,000 lbs. The consumption of thrown silk, therefore, remained exactly where it had been before any alteration took place. It might be said, that the throwsters were injured by the importation of manufactured goods, and not of thrown silk, but the great apprehension at the time the duty was reduced was, from the importation of thrown silk. He believed the great mistake was, the leaving any duty at all on that commodity. The introduction of thrown silk arose from the necessity of having a certain quantity of that article from the markets of Italy, and, in his opinion, therefore, his hon. friend, the member for Coventry, would do greater service to the silk manufacture, and act more wisely, if he proposed a reduction of duty on thrown silk rather than an increased duty, or a prohibition. In considering this subject, it was impossible to shut out of view that a large number of factories had recently been established in places where they had not previously existed. If considerable distress existed in Macclesfield, much of that distress arose from competition; for every one acquainted with the trade knew that, if less work was done in Macclesfield, a great deal more was done in Manchester. A large trade in throwing silk had lately sprung up in Manchester, and materially injured Macclesfield. Nor was the increase of machinery to be left out of consideration. Whilst on this subject, he might state the amount of mills which existed in Manchester before and since the change in the law. Before 1819, how many mills did the House think had been erected in Manchester? Not one! Between 1819 and 1823, seven mills had been established, and, since 1823 five more; so that twelve mills had been established since 1819, which naturally carried a large proportion of the trade from where it had formerly been. The House would bear in mind, too, that there was a considerable difference in mills. Some mills had five times the amount of power possessed by others. It was curious to observe how Manchester sucked to itself a great proportion of the trade of the country, and took the lead in every knew branch of industry that was opened. Before the year 1823, the horse-power in the mills then at Manchester amounted only to 146; since that time there had been an increase of 196. Thus there was a horse-power in the silk mills at Manchester, amounting to 342, working with all the improvements in machinery which were so advantageous to the skill, and industry, and capital of England. What, then, would his noble friend come to in his proposition for the silk throwsters of Macclesfield? Would he have raw silk taxed 5*s.*, and thrown silk 14*s.*, per pound? His noble friend had said, that he was no friend to prohibition, though he was now moving for an inquiry to show that it was necessary; and, therefore, he could not suppose that his noble friend meant to recommend prohibition as a mode of relieving the throwster. He now came to the case of the Coventry weavers, as his hon. friend opposite had endeavoured to illustrate it by reference to the Poor-rates. He was not incredulous of the distress which prevailed among them, but as no good could arise from putting forward exaggerated statements of its amount, especially on the authority of figures, he must be permitted, when he had it in his power, to reduce those exaggerated statements to their true level. His hon. friend stated, that the Poor-rates of Coventry had of late increased in a most extraordinary way. He held in his hand an account, signed by the Overseer of the Poor for that town, from which it appeared that the Poor-rates had diminished, instead of increased, during the last year. He had an account of the Poor-rates for Coventry for every year since 1816. He would only notice the account for the last one or two years. In the year 1829 the Poor-rates in Coventry amounted to 12,400*l.* In the year ending July, 1830, they rose to 20,000*l.* That arose from this circumstance—in the year 1829, considerable discussion took place on the propriety of the silk duties. In consequence of that discussion, an apprehension prevailed that they would be altered in the ensuing Session of Parliament. That apprehension paralysed the operations of the trade; many men were turned off by the masters, and thus great distress, and consequent pressure on the Poor-rates, was occasioned. No alteration of the duties having taken place, however, trade resumed its operation, and in the year ending July, 1831 the Poor-rates were again reduced to 12,400*l.* In the last half-year, ending December, 1831, the Poor-rates amounted to 6,990*l.*; and he was informed, that, in all probability, they would not exceed 13,000*l.* for the present year. Hon. Gentlemen would, however, bear in mind, that although there had been no increase in the Poor-rates, such an increase might naturally have been expected. There had been a great increase in the population within the last fourteen or fifteen years, and as the subsistence of that increased population depended on the employment given to industry, it might have been expected that there would be some great increase in the Poor-rates of the place in which it was collected together. But what was it at which his hon. friend wished to arrive by his argument on the Poor-rates of Coventry? His hon. friend said, "I do not know, and, therefore, I wish to inquire." His hon. friend avowed his wish to protect the weavers of Coventry in their own market from foreign competition. Did his hon. friend know to what extent the amount of protection now given them went? His hon. friend said, that, on no one article of Coventry manufacture did the protecting duty amount to thirty per cent. He (Mr. P. Thomson) held in his hand a copy of the rate of duties imposed on all articles of foreign silk manufacture; and, so far was he from finding that the rate of duties was under thirty per cent, that he was quite certain that it was above thirty per cent, on most articles, and particularly on those which were also manufactured at Coventry. This might perhaps be disputed. He, therefore, wished the House to hear the rate of duties by which articles of Coventry manufacture were protected, and to consider whether any additional protection could be an advantage to the weavers of that place. French gauze ribands, ribands, and figured silks, were the three articles in which Coventry most feared foreign competition. Now, the rate of duty on the first was between fifty and sixty per cent, on the second, between sixty and sixty-six per cent, and on the third—figured silks—was forty-one per cent. Was not this rate of duty sufficient? If not, would his hon. friend propose to protect his constituents, by re-establishing a complete prohibition? Did his hon. friend recollect what was the burthen of the various arguments advanced in the memorials presented by the manufactures of Coventry from the year 1801 to the year 1816, respecting the distressed condition of their trade? If his hon. friend did not, he would tell him it was this—that, in spite of prohibition, the British manufacturer was seriously injured by the manner in which the smuggler undersold him. What had that practical man of business, his hon. friend, the member for Thetford, said on the subject of prohibition? His hon. friend had said, "Nothing can be more absurd than to suppose that any prohibition can prevent the introduction of articles in demand, at an advance of twenty or thirty per cent upon their real value. It is impossible to suppose, that ladies will not get French shoes, French ribands, French gloves, and French silks, in this way, if they can get them in no other." He thought it clear, then, that, from the renewal of prohibition, no benefit could be derived to the weavers of Coventry; and even if it could, would the House inflict prohibition on the country, followed up, as it must be, by domiciliary visits of all kinds in search of silks, which could not be distinguished, at present, from English silks without the greatest difficulty? To fix a penalty upon a matter that was open to so much doubt, and that required the nicest discrimination, would be a species of tyrannical interference, which he was sure that House would never tolerate or agree to. Thinking, then, as he did, that prohibition would never be resorted to again by that House, he must ask his hon. friend what he wished to gain for his constituents in the view which he had that night taken of their condition? Having now concluded his observations on the case of the throwsters of Macclesfield, and the weavers of Coventry, he should like to advert very briefly to the general state of the silk manufacture. His hon. friend had taken up the three points of Mr. Huskisson, and endeavoured to refute the argument which that statesman had built upon them. His late right hon. friend had said, that, in consequence of our adopting the principles of free trade, we should succeed in the trade of silk. But his hon. friend said, that prediction had been falsified by events. He replied, that instead of being falsified, never had prediction been more fully realized. The three points on which Mr. Huskisson mainly relied were, the superiority of our machinery, the skill of our artisans, and the extent of our capital. His hon. friend asserted, that he had derived no advantage in any one of them from the altered state of the law. Now, he appealed boldly to every man engaged in the manufacture of the silk, and asked, whether, of late years, the greatest improvements had not been made in our silk machines? To say nothing of other improvements, there was the Jacquard loom, which was now much employed in Coventry—which had given fresh energies to the skill of the weaver, and thus the trade had gone on increasing, and he hoped prospering in general, although no one could more regret than he, that misfortunes had happened to individuals and particular places, but he protested against the doctrine, that these isolated places of suffering, however much to be deplored, were to be taken as proofs of the decline of the trade generally. "But," said his noble friend, "the amount of capital engaged in the silk trade has done nothing of importance." If so, how did it happen that there had been such an increase of silk mills and manufactories at Manchester? The looms in Manchester had increased from 6,000 to 15,000 since 1824. Was that the sign of a ruined or an improving trade? He did not wish to weary the House; but there was another circumstance to which he must advert before he concluded. It was the point which had been alluded to as arising from foreign competition. The state of the introduction of the foreign manufactured article was shown from the Custom-house returns, on reference to which he found, that very little increase had taken place in the imports since the period at which the prohibition had been taken off. He held in his hand the Custom-house returns of the official value of silk manufactures, which showed little or no increase in the imports. In the first year of free trade, and after the prohibition was removed, the official value of the imports amounted to 556,000*l.*; in the year, 1828, 677,000*l.*; in 1829, 595,000*l.*; in 1830, 595,.000*l*; and in the year 1831, nearly the same amount as the year which preceded. This, he conceived, was a clear proof that the silk trade could not be much deteriorated, when there had been comparatively no increase, within the last five years, to the importation of foreign manufactures. The silk trade of this country had not received much, if any, injury from smuggling, since the prohibition was removed, with regard to which point, inquiry, he proposed, should be made by the Committee now to be appointed. It was certainly advisable that an end should be put to smuggling; but he did not believe that much increase had taken place in that respect, for, at present, as far as could be ascertained, the smuggling trade amounted to about 200,000*l.* a-year, while, before the prohibition, it amounted to 150,000*l.* so that there had been no great increase. It was, also, important that the House should know what the exports from this country had been, because it had been stated, that they had been decreasing; but it would be found that, whilst the British manufacturers had been undersold in their own markets, the export trade had been increasing. The returns showed, that, in the three years before 1824, the official value of British silk, unmixed, exported, was on the average of 102,000*l.*; in the three last years, viz. 1827, 1828, and 1829, the average official value of the exports was 215,000*l.*; and, in the last two years, 1830 and 1831, the amount was 348,000*l.*; and in the last year, 500,000*l.* With these facts before the House, how could it be said, that the silk trade had been injured by foreign competition? He might be told, that these returns included the exportation of mixed manufactures; but he was prepared to show that the exportation of mixed articles of silk manufactures had, within the same period, increased from 30,000*l.* to between 70,000*l.* and 80,000*l.* He should not trouble the House with any more of these statements, but he would beg leave very briefly to state the grounds upon which his Majesty's Government considered themselves justified, without the least departure from the opinions and principles to which they had hitherto adhered, in consenting to the motion for an inquiry into the state of the silk trade. He, for one, rejoiced that they had come to that conclusion, satisfied as he was that, from that inquiry, if properly conducted, the truth would come, and that the truth, when elicited, would procure for their principles one of the most signal triumphs which they could possibly achieve. He repeated, that he rejoiced, so far as he was concerned, that his Majesty's Government had come to the determination of granting the Committee; but if there was one feeling which detracted from the satisfaction he should otherwise feel, it was, that he never could look, without the greatest fear and apprehension, at anything that was in the least likely to stagnate or disturb any branch of the trade of the country. That such must, in some measure, be the result of a Committee, it was impossible to entertain a doubt, because he knew practically too well that, on whatever grounds a Committee of Inquiry was granted, a degree of uncertainty must be felt with regard to the results, and the minds of men being agitated, their speculations could no longer be undertaken with security. Feeling this, he should, under other circumstances, have disregarded what he knew would be the desire of many Gentlemen, and some of them who were disposed to act with his Majesty's Government, in performance of the principles which they laid down—like his hon. friend, the member for Middlesex, who was always anxious for an inquiry, in order to satisfy the parties interested. He should have resisted the proposition for a Committee, regardless of the unpopularity to which such a course might subject him, if it were not for the peculiar circumstances of this trade. He believed that alterations were necessary in the laws relating to the silk trade. He had already shown, that, so far from the duty being thirty per cent, there were many cases in which it amounted to forty, fifty, or sixty per cent. He was perfectly satisfied of the necessity of a change: not, however, with a view to increase the duties, they being already so high as that the smuggler could carry on his trade with success, but to reduce them to that point from which the Government of the right hon. Gentleman opposite had started—to the minimum of the cost of smuggling; so that the manufacturer should have all due protection, and that, at the same time, there should be no temptation to violate the law. He was satisfied that the result of the Committee would be to alter the duty on thrown silk, so as to give to the constituents of the hon. member for Coventry the raw material without a heavy duty. He thought, also, that the labours of the Committee, even if they did not produce what some might desire, would go far to satisfy the parties engaged in the trade, not only that attention was paid to their interests, but that, if the House pursued a line of conduct different from that which they thought expedient, that was not done without the fullest inquiry, and that the Legislature conformed to their wishes, as far as was consistent with the general interests of the country.

Colonel *Davies* would not detain the House a moment. He had merely risen to say, that the right hon. Gentleman had made use of the most incontrovertible arguments in favour of the Committee for inquiring into the glove trade, for which he (Colonel Davies) had moved a few nights ago; and it was, therefore, his intention, as soon as the present question was disposed of, to move, that the petition of the glove manufacturers should be referred to a Committee.

Mr. *Poulett Thomson* had forgotten to state, when on his legs, that although he agreed to the appointment of a Committee, as proposed by the noble Lord, he was anxious to unite the two objects; and, therefore, begged to move, as an Amendment to the Motion of the noble Lord, that all the words after the word "appoint" be left out, for the purpose of inserting these words—"to examine into the present state of the silk trade, and to inquire what effect has been produced by the change in the laws since the year 1824; and, whether any and what legislative measures may be advisable for the promotion of the trade, or for the checking of smuggling in silk manufactures."

Mr. Alderman *Waithman* had listened with some surprise to the lengthened address of the right hon. Gentleman, for he had been in hopes that the Committee would have been appointed, and a fair and impartial inquiry have taken place, without any attempt, on the part of the right hon. Gentleman, to add to the Motion of the noble Lord, and, as it were, to prescribe the conditions of the Committee. As to the right hon. Gentleman having gone so much into detail, he had no objection to that; but he certainly did object (and it was getting too much the practice in that House) to a member of the Government referring to documents to which the House had no access; besides which, he certainly was not at all able to see what they had to do with all these details, when they were to have a Committee for the purpose of inquiring into the whole subject. The plain and simple questions to him appeared to be—were the people in distress, or were they not? Now, the right hon. Gentleman seemed to say, that distress did not exist to the extent described by the noble Lord; but it appeared to him that the right hon. Gentleman had refuted himself, for he had entered into a long argument to show that there had been a great increase in raw silk thrown for the last five years, and that there wa no falling off in the thrown silk imported, and yet, when he came to talk of the state of the poor, he had attributed that to the increase of population. But, surely, if there was an increase of population, there ought also to be an increase of the consumption of articles made from silk; in the absence of which it was clear that the demand must have fallen off. According to the right hon. Gentleman's own showing, there had been no increase in the importation of thrown silk; and, though there had been an increase in the raw silk, he was afraid that that was no argument, for the silk trade had wholly changed, and the prejudice in favour of foreign fashions had driven our own weavers from the manufacture of the finer and more profitable branches, where a large portion of labour was employed upon a small portion of the raw material, to the manufacture of coarser and commoner articles, upon which there was a greater weight of silk, with much less labour, and lower profit to the manufacturer, and lower wages to the weaver, and consequent depression and distress. But really what were the facts, admitting, for the sake of argument, that the trade had increased? Why, that distress had increased also, for, since the year 1826, the wages of a weaver had fallen in the ratio of from 11*s*. to 5*s*. per week. It had been stated by the right hon. Gentleman, that the trade was thriving in Manchester, but, on the authority of a letter—a copy of which he held in his hand, from a most extensive silk throwster there, Mr. Royle, addressed to the right hon. Gentleman, the Vice President to the Board of Trade—the very reverse was the case; that Gentleman stated, "that official facts would not satisfy the trade in the face of a starving population—that the weavers were in a state of destitution, although the trade was increased; and the individuals who performed the labour were filling the workhouses, not being able to support their families." The wages at Congleton and Coventry had fallen from 18*s*. to 6*s*. a-week. In Spitalfields there were formerly 3,000 looms employed in the fancy trade—there were now but 250. The right hon. Gentleman said, exultingly, that all the predictions of Mr. Huskisson had been verified. He (Mr. Alderman Waithman) said, that not one of them had been fulfilled. While 2,000,000*l*. worth of goods were received from France, not 100,000*l*. did she receive of ours, and the whole of our exports might be limited to Bengal and China silk manufactured into handkerchiefs, the same amount would still continue to be exported, if we did not receive one shilling's worth of French silks. The question which he would put to the right hon. Gentleman was this:—"Have we not hands enough of our own, and why admit the manufactures of foreign countries into our markets, to beat down our own labour, when so many thousands of our industrious artisans are reduced to poverty and distress, and when those foreigners absolutely prohibit all our manufactures?" If he chose to enter upon the doctrines of free trade, he could show the House that the exports had fallen off since the year 1817 to the enormous amount of 9,000,000*l*. per annum, and that though the official value might have increased 4,000,000*l*., the real value had decreased 2,000,000*l*. These, however, were facts which must come before the House in due season, and he would not, at the present time, enter upon them further. But not all the fallacies of the right hon. Gentleman could get over the fact that the value of labour in the silk manufactures had amazingly decreased, and, with this mortifying fact before his eyes, the right hon. Gentleman had said, not only that he would have a Committee, but he would tell them what they were to do—an arrangement which appeared to him (Mr. Alderman Waithman) to be neither more nor less than a mere mockery of the whole affair, for it was quite obvious that the right hon. Gentleman had other objects in view, and no intention of meeting the complaints of the petitioners. The present was no new case. The manufacturers of silk had been before the House year after year, and had as often been sent off with mere assurances and predictions that had never been verified. And did the right hon. Gentleman think that he knew better about these matters than the very persons who were engaged in the trade? According to the right hon. Gentleman's account, however, all that the Government wanted was, to stop smuggling. This he (Mr. Alderman Waithman) defied any Government to do; for he could tell the right hon. Gentleman, and the right hon. Gentleman's own constituents could tell him, that smuggling, so far from falling off, was very much on the increase. He would give the House an instance of the extent to which it prevailed.

Within two months before the late great seizure of silk, there was only 17,000*l.* paid in duty, while in the two months after it 73,000*l.* was paid. This was a proof how largely that trade was carried on. He hoped that the declarations which the House had heard from the right hon. Gentleman were rather the effusions of his own feelings than an expression of the determination of his Majesty's Government.

Mr. *Robinson* said, if any Gentleman had listened to the greater part of the right hon. Gentleman's speech, it would have been impossible for him to have come to the conclusion, that in the end he intended to accede to the proposition for a Committee; for his whole argument had been to show, that the petitioners had not a point on which to rest: besides which, the other night, when exactly a similar case was made out on the part of the glove manufacturers, a Committee was refused, and now one was granted to the silk manufacturers. These, however, were not the only inconsistencies in the right hon. Gentleman's speech; though he (Mr. Robinson) did not propose to occupy the time of the House with pointing them out. With respect to the distress that existed, it was so appalling, that he should be ashamed of himself if he attempted to say one word for the purpose of proving what, from its extent, must be a self-evident fact. That distress had, unfortunately, been too clearly made out by the noble Lord; and he did not believe it possible, that the Government would sanction the right hon. Gentleman in his denial of it.

Mr. *Poulett Thomson:* I do not deny the distress.

Mr. *Robinson:* He was glad to find, that he had at length succeeded in eliciting from the right hon. Gentleman, an admission that there was distress, and that, on that point, at least, they were no longer at issue. The right hon. Gentleman, however, had indulged in a number of old hackneyed arguments, and had accused these petitioners of bringing the distress on themselves, by imprudently overtrading at different periods. But what did the right hon. Gentleman mean by that accusation? Did he mean to condemn those exertions, which, it was the boast of the late Mr. Huskisson, that the adoption of the principles of free trade would call into action. The language of the right hon. Gentleman formerly used to be, "Use your best endeavours; and, if you fail, this House will take care to relieve you." But now the right hon. Gentleman changed his note, and said, "You should not have used these energies! Give up the foolish attempt, and yield your trade into the hands of your foreign competitors." That was the argument of the right hon. Gentleman, turn it which way he might. Would any one deny, that the manufacturers had employed their best exertions? Would any one deny, that labour could find no employment—that wages were lowered—and that misery and distress were the melancholy results? Was he disingenuous enough to attribute the whole of this distress to foreign competition? No. But what he said was, that in this country there was such a stimulus to human labour, that individuals were obliged to embark in trade that was unprofitable, because they had no other way of living: and he would, therefore, boldly assert, that the very extension of the trade was a proof of the distress. That trade had gone from London to Macclesfield, and from Macclesfield to Manchester, but distress had followed it every where, and, in a few years, all would be alike involved in one common ruin. He should not now enter into the question of free trade, because he intended to discuss it hereafter, on broader and more general principles than any upon which he had ever heard it discussed in that House. The petitioners said, as the hon. member for Thetford had said in 1825, that if that House could not find employment for them, or improve their trade, or protect them against foreign competition, the country would be obliged, in the end, to maintain them without employment. The admission of foreign goods beyond what was necessary, tended to pauperize and demoralize the great mass of the people, and was one main source of that discontent and dissatisfaction, which produced a desire for changes of every description. Although he was a supporter of Reform, yet he must say, he was convinced, that it was the distress of the people which made them so vehement for changes. He thought, that although prohibition ought not to be resorted to, except in extreme cases, yet under the peculiar circumstances of this trade, if the Committee were not able to devise other means of relieving the distress, they must have recourse to prohibition, or things must take their course, and greater distress would ensue than already existed. But he at the same time must again inquire, as had already been done by his hon. friend and colleague, how it was, that the right hon. Gentleman exerted himself to prevent inquiry into the state of the glove trade, and granted a Committee upon the silk trade, when the allegations of the manufacturers in both trades were founded upon the same grounds?

Mr. *Wilbraham* said, he could state, that with respect to Macclesfield, the distress had been severely felt; and he would refer the House to some documents which he had in his hand, and which would clearly establish that fact. In 1825, the price of wages had been 16*s*. 7*d*.; in 1826, it was only 7*s*. 9*d*. In 1824, the number of persons employed in silk throwing was 276; in 1828, it was only 159; in 1824, the wages for silk-throwing were 11*s*.; in 1828, they were only 5*s*. 3*d*.; and, with respect to the poor-rates, in 1825, they amounted to 4,400*l*.; and, in 1826 to 7,800*l*.

Mr. *George Bankes*: having listened to the tone which the right hon. Gentleman had assumed, as well as to the Amendment with which he had concluded, was not at all surprised at the effect that had been produced by his speech on other hon. Gentlemen; more especially, as if the right hon. Gentleman's arguments were right in this instance, he could not at all comprehend on what principle the inquiry into the state of the glove trade had been refused. Surely the right hon. Gentleman had been exceedingly inopportune in the taunts of which he had made use when the glove question was before the House, when, on the present occasion, he had actually adopted the proposition that had been made by the noble Lord. He was, however, very glad the Government had acquiesced in the proposition for a Committee, if it were only to quiet the feelings of those, whose distress, unfortunately, could not be doubted. He wished, however, that he had assented to the Motion, as it was at first proposed, and, above all, without accompanying his sanction with the speech with which he had followed it up. He was unable to understand the grounds on which the right hon. Gentleman had acquiesced in this Motion, for he considered the very grounds he had stated were totally at variance with the conclusion at which he had arrived. He had, in the appointment of the Committee which he proposed, adopted part of a Motion which he (Mr. George Bankes) had given notice of. He had no right to complain of this adoption, or of not having been informed of it otherwise than by the speech he had made that night. He felt it right, however, to mention the circumstance of the right hon. Gentleman's having appropriated a part of his Motion, because the incorporation would not, probably, be very gratifying to the parties concerned in the silk trade. He had given notice of the Motion to which he now adverted, on the ground, in the first place, of the great smuggling transactions which had recently been brought before the House; and, in the second, on account of the statement of the right hon. Gent., the Vice President of the Board of Trade, that he did not believe that a hundred dozen pair of gloves were smuggled into this country in the course of the year, a statement utterly at variance with all other authority on that subject. Under these circumstances, he had given notice of a Motion affecting generally the laws relating to smuggling. It had, however, been thought probable by some friends of his, that if he brought his Motion forward previous to that of the hon. member for Coventry, he should, instead of doing any service, be doing an injury to the silk manufacturers, and he therefore had postponed his intention, in order to give the hon. member for Coventry the priority; and he merely stated this in order that he should be exonerated from all suspicion of having been a party to that Motion, or in having in any degree assisted in disappointing the persons interested in the silk trade, which he feared would be the result. He should not, however, be deterred from bringing on his Motion at some future opportunity, as the proposition made by the right hon. Gentleman did not embrace the whole extent of his Motion, and, in the mean time, he wished to call the attention of the right hon. Gentleman, and of the Attorney General, who was also necessarily concerned, to a curious document which had been laid, amongst other papers, on the Table of the House, and to ask, whether the contents of that paper, which purported to be a memorial from Messrs. Leaf and Coles, on the subject of the late seizure of smuggled goods, were true? It was set forth in that document, "That your memorialists having found, that the only mode by which proof of the duties having been paid was refused to them, agreed to pay 20,000*l*. on the express terms and conditions, that their goods should be restored to them, and that all legal proceedings against them should cease. That the latter part of this proposition was at first opposed, but was ultimately agreed to, on your memorialists insisting to proceed to trial, and their goods were, in consequence, restored to them." Now, he wished to know whether this was true—whether, in a case where, if the witnesses were to be believed, conviction must inevitably have ensued, so large a quantity of goods was restored to these persons, without having paid any duty, and, whether by this restoration, upwards of 100,000 yards of French ribbands were not being sold at the busiest season when such articles must come most decidedly in competition with fabrics of British manufacture? for, if all this were true, he must confess that his surprise at the transaction was greatly increased. The right hon. Gentleman had, however, studiously avoided touching upon that branch of the silk trade which was principally carried on at Coventry, and which was chiefly affected by this matter. With respect to what the right hon. Gentleman had said, of the wonderful powers of suction possessed by Manchester, which drew trade from all other parts of the empire, he might venture to say, that these powers were not exerted at the expense of Coventry, although the fact might apply to other places. Where, then, was the "suction" to be found, which had drawn from Coventry the trade it formerly possessed? He feared that it could not be found nearer than in the manufactories of France. To those they must look for the causes which had weighed down our silk trade—ruined our capitalists, and driven our artisans to starvation and despair. The right hon. Gentleman did not dispute that smuggling affected this trade in a considerable degree (although he had denied it with respect to the glove trade); and it was curious to observe how gradually and rapidly that evil was increasing. He would refer the House to a document which was read by Mr. Vesey Fitzgerald, in the year 1829, on the subject of the silk trade. When the subject was then under consideration, that Gentleman read a letter, and made a statement, on very much the same sort of circular authority, probably, as the right hon. Gentleman founded his opinions the other night, when he talked of the "hundred dozen pair of gloves." Mr. Vesey Fitzgerald said, "he had in his possession a letter (dated from Calais) from a person on whose veracity he could rely, which intimated that the only article then smuggled to any extent, was broad silk; but that there was no chance whatever of smuggling gloves." This statement produced a very great effect in this House, and other documents were also referred to by the same hon. Gentleman, which he said, were of unquestionable authenticity. If that statement, however, was really true, what had been the cause of this great subsequent increase of distress in the silk trade was yet to be ascertained. With respect to another part of the argument of the right hon. Gentleman, a statement had been sent to him, by which it appeared, that in the year 1825, there were in Coventry upwards of 200 master manufacturers; and at this moment there were in that city no more than half that number—namely, 100. It was unnecessary, however, to press this part of the question, because it was not denied that the trade of Coventry was in a state of absolute depression and ruin. Again, the right hon. Gentleman endeavoured to shew the House, that the trade was not in such great distress generally as it was represented to be in; and, in support of his argument, he took the five years before 1824, and the five years after 1826. The selection of those particular years would not, however, bear out his statement. It was very true, that taking the years 1816, 1817, and 1818, the trade then was less than it became nearer to the year 1824; but, at that period, it was regularly and gradually increasing; and he had always heard, that the best proof of the prosperity of any trade being permanent was, a gradual, progressive, and steady advancement. The right hon. Gentleman entirely excluded from notice the year 1825. He did not know why the House was to follow his dictation in this respect; but there was an increase up to that year, and from that year there had been a decrease of the trade of Coventry. He conceived, that up to the year 1824, the silk trade progressively improved, both in respect to the quality of the fabric, and the returns derived from it. In 1824, however, certain alterations were proposed in the laws which regulated it; in 1826, they were carried into effect; and from that period down to the present time, there had been a gradual, regular, and progressive decay of the trade. As it did not appear that any opposition would be made to the appointment of the Committee, he had no wish to trespass upon the time of the House; but he had felt it necessary to say thus much, because there was an attempt to anticipate his motion, but as much of it as was still unaffected by the Motion of the right hon. Gentleman, he should bring forward at a proper time, and he would now conclude by saying, that he cordially concurred with the general principle of the Motion, but regretted, that the alteration was brought forward in the speech of the right hon. Gentleman.

Mr. *Kearsley* said, that the right hon. Gentleman, the present Vice President of the Board of Trade, seemed, by his speech, to be preparing himself to be President of that Board under a Reformed Parliament. He, however, might have spared his long speech, and told the manufacturers shortly and briefly, that their wealth was fructifying in the pockets of the Ministers, and of the Gentlemen on the Treasury benches. Those Gentlemen seemed quite ignorant of their own situation—for he could assure them, that there was not a single merchant in London who placed the least confidence in such a noodle and doodle Administration.

Mr. *Heywood* said, that allusion had frequently been made, in the course of the debate, to the state of the silk trade at Manchester, he therefore trusted, that he might be permitted to say, that he believed, the distressed state of the manufacturers at Macclesfield, Congleton, and Spitalfields, arose chiefly from the competition of Manchester, which was rapidly becoming the principal seat of the silk, as it had long been of the cotton trade. He understood, from the noble Lord who opened the debate, that the number of spindles employed in throwing silk at Macclesfield was less, by 150,000 at present, than in 1824. Now, not only within that period, had more than that number of spindles been set to work at Manchester, but such was the superiority of the new machinery at that place, that 1,000 spindles would produce more than 1,500 of the old spindles at Macclesfield. An explanation of a similar character might be given with regard to the decline of silk-weaving in Spitalfields. The old system of sending the raw silk to Macclesfield and Congleton to be thrown, and receiving it back again in its prepared state for manufacture, was broke in upon by the Manchester capitalist, who united the two processes of throwing and manufacturing, and by the aid of skill, enterprise and intelligence, and by his peculiar advantage in the abundance and cheapness of manufacturing labour, was gaining possession of the trade, and although the distressed state of the silk-weavers was very much to be lamented, it must not be forgotten, that the introduction of the silk trade into Manchester, had given employment to thousands of the starving cotton-weavers, who had been thrown out of work by the introduction of improved machinery into their trade. He was aware that Manchester itself had suffered from the depression of the silk trade, but the distress among the weavers there was subsiding. During the existence of this distress, it had been attributed, by the most intelligent manufacturers, to foreign competition, and he could adduce no stronger proof of the confidence felt that the depression was temporary, than the fact, that large silk-mills were now building in that neighbourhood.

Mr. *Baring* approved of the conduct of the right hon. Gentleman in granting the Committee, which, in his opinion, ought to be armed with very extensive powers. As from the conflicting statements made, he was most anxious to have every possible information; however, there seemed to be no doubt, that much distress was felt in Spitalfields, Coventry, Macclesfield, and Congleton; and the only consolation they had was that which they had received from the hon. member for Lancashire, namely, that if the silk trade were declining elsewhere, it was getting better at Manchester. It was very clear, that they could not interfere to prevent the improvement of trade in one place, though that improvement might be detrimental to another. If Manchester had deprived Coventry of its trade, however desirous they might be to afford individual relief to persons who suffered from the change, still such changes could only be viewed as a partial, and not a general, calamity. The Legislature ought not to lay any restrictions on the free action and movement of trade from one place to another. If it were true, that the trade were flourishing in Manchester, then must the distress be only partial, and that was an additional reason for inquiring. The right hon. Gentleman, the Vice President of the Board of Trade, had stated, that the importation of thrown silk had increased from 100,000*l*. to 500,000*l*. in value; but that was an extraordinary fact; when it was well known, that the debentures valued at 3*s*. 6*d*., that were given on thrown silk, and that were a bounty on silk exported, containing thrown silk, were selling for one penny. In fact, they were absolutely valueless. If the right hon. Gentleman would inquire of the ladies of his acquaintance, he would find, that they never would look at English silks, and that they wore only French and Italian silks. Heavy coarse silks containing India silk might sell of English manufacture; but of the light and fine silks only French and Italian were worn, and nothing else was sold in the shops. This fact was exemplified by the great seizure made in the case of Leaf and Co., which showed, too, a remarkable change. Formerly smuggling was only carried on in such things as gin and tobacco, and was confined to low people; now it was proved, that houses, of what was called the first respectability, were notorious smugglers. This was an extraordinary fact, and it was surprising that it should have gone to such an extent before it attracted the attention of the Custom-house officers. He begged to be allowed to advert to an opinion of his, which had been severely dealt with by the right hon. Gentleman. The House would recollect, that, at the close of the late war, the trade of this country was left by Mr. Rose, encumbered by the most irksome trammels and restrictions, and there was a general desire among the merchants to get rid of those Gothic absurdities, and get what was called a free trade. He had at that time presented a petition to the House, from the merchants of London, but it was not of his writing. He had supported the prayer of that petition, but he protested against being tied down by any precise form of words, or by any cant terms, and be thus made to express more than he meant. He was, undoubtedly, desirous to keep steady to the principles of free trade, but he had never thought of applying those principles, without consideration, to every case. He would not introduce them in particular cases; they were not yet generally introduced, and could not be, without that equitable adjustment which was another name for a general scramble. There was not yet a free trade in wool. Those principles had not yet been fully applied even to the silk trade. He thought it hard, if he had been tardy in going so far or so fast as some other Gentlemen, that he should be taunted as bigotted, and adverse to the principles of free trade. The silk trade was one of the last that ought to have been touched. If they looked at the details, they would see, that it was one of the most tender branches,; and, whenever they began to talk of applying the principles of free trade to it, they destroyed it. It was a trade already nourished into existence, employing a great many persons, and having considerable capital embarked in it, and was not a trade to be swept away by the application of any general principles. They begun with the silk trade however, which he thought ought to have been the last, and Spitalfields was ruined. After the plan of duties was adopted, Mr. Huskisson always came down to the House, and brought some details from the Board of Trade, which nobody else could find, to show, when the whole people were starving, that they ought not to be starving. That Board had always some figures ready, which contradicted the common sense of the people; and so the right hon. Gentleman had come down to-night, with figures which must satisfy the people, notwithstanding their complaints, that they were not distressed. The right hon. Gentleman said, that 1824 and 1825 ought to be excluded from their calculations,; but he did not understand why; for, in those two years, the manufacturers were placed in the precise situation they wished to be placed in. The duty was taken off the raw material in 1824, and the prohibition was not repealed till July 1826. That was precisely what the manufacturers now wanted, and, therefore, those two years ought to be included. Free trade consisted in buying where a commodity was to be got cheapest; but if a parcel of silks could be purchased at Lyons for 1,000*l*. less than in Spitalfields, and if by purchasing them at that place, this country was burthened with 10,000*l*. additional poor-rates, he contended that, in such a case, what was called free trade, must be disadvantageous to the country. A system which created pauperism could not be beneficial. Properly explained, and properly understood, and applied at proper times, he had no objection to the doctrines of free trade, but he objected to their being applied with that presumptuous arrogance with which the present philosophers applied their principles. There were other things to be considered besides cheapness; there were the moral consequences of depriving the people of employment, and condemning them to pauperism and want of bread. He would not trouble the House further, as the subject was to go before a Committee, which gave him great satisfaction.

Mr. *John Stanley* rose only to say, that he did not think the hon. member for Lancashire could be correct. At Macclesfield, the number of silk-mills employed was forty-four; the unemployed amounted to thirty-one. At Congleton, the number at work was twenty-seven; the unemployed were thirty. The whole number of mills at Manchester was ten, and if they were fully employed, he did not think that would account for the thirty mills at Congleton, and thirty-one at Macclesfield being idle. He only stated these circumstances to show, that there was a necessity for inquiry.

Mr. *Attwood* was glad to hear that Ministers had granted a Committee, although he was surprised that they had done so, as they had given precisely the very same reasons for granting it which they had assigned for refusing a Committee on the glove trade some short time before. The right hon. Gentleman had stated, that the distress of the glove trade was caused by overtrading; he said the same thing of the silk manufacture, and yet he granted a Committee in the one case, and refused it in the other. The glove trade was said to be only partially distressed, because Yeovil did not complain, and so it was said of the silk trade, yet a Committee was granted in one case, and refused in the other. Again it was said, in one case a Committee should not be granted, because it would excite false hopes; in the other it was granted. The Government was consistent only in inconsistency. He rejoiced, however, that they had yielded, but, at the same time, he wished the inquiry had been placed on broader and higher grounds. It seemed, by the statement of the right hon. Gentleman, as if that House were considered as a check on the people—as if it were to watch over their pursuits, and contradict their assertions. The House, it appeared to him, did not pay due attention to the practical experience of the people, but wished rather to obey that miserable and narrow system of philosophy which had been so much eulogised, but from which no good had arisen. They ought, instead of taking such a course, to investigate, with laborious assiduity, the complaints of great bodies of the people, to redress their wants, and to show that they were identified with their interests, and sympathized in all their sufferings. He denied that overtrading had been the cause of the distress under which the silk manufacturers of this country laboured, but that it had been principally occasioned by the opening of the market to the French manufacturers. He entered his protest against the principles of free trade—and he was at all times prepared to contend, that the House was not pledged to those principles. It was the duty of the House to inquire into the calamity and the distress which had been caused by carrying such principles into operation; and he would maintain, that if upon due inquiry it should be found, as he was confident it would, that such had been the consequence of the adoption of those principles, the Legislature was bound to reconsider its course. That their measures had been wrong was evident from their disastrous results, and, to prove this, it was sufficient to look at the altered state of the country since the period of their adoption. In February, 1824, when the new measures respecting the silk trade were introduced to that House, the then Chancellor of the Exchequer said—"For some years past there has prevailed in this country among our ablest Statesmen, and our most eminent writers on political economy, and I may say, indeed, all men of understanding and reflection, a decided conviction, that the maintenance of the prohibitory system is exceedingly impolitic. * * * There never was a more favourable opportunity than the present for carrying these principles into effect, and for inviting foreign powers to act in conformity with them. It is time to cut the cords which tie down commerce to the earth, that she may spring aloft, unconfined and unrestricted, and shower her blessings over every part of the world. If ever there was a time at which such a policy could be adopted with the most favourable expectations of success, it is the present. Is not our revenue flourishing? Are not our manufacturers in a state of universal activity? Is not capital in eager search of the means by which it may be profitably employed."* This was the glowing picture then drawn of the state of the country. He invited the House to contrast it with our present condition. Was the revenue now in a flourishing condition? If the prosperous state of the revenue in 1824 was the ground for making this experiment in free trade, was not the ruinous state of the revenue now a reason for abandoning it? The Chancellor of the Exchequer, in 1824, went on to say—"This is, therefore, the finest possible opportunity for the country to emancipate itself from ancient prejudices, and to make a new start in the race for national wealth and prosperity. If this was the test by which the soundness of the principles of free trade was to be judged, were they not bound, when they found the revenue decreasing, manufactures suspended, and capital no longer prosperously employed, to concede that these principles were inapplicable to the circumstances and condition of this country?"*

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* Hansard's Parl. Debates, New Series, vol. x. p. 330.

Mr. *Charles Grant* said, he would not follow the example of the hon. Gentleman who had just sat down; for he should occupy the House but for a few moments. He did not deem it necessary to answer those parts of the hon. Gentleman's speech which he had not been able to hear, for the House, knowing that the Committee was granted, had certainly evinced no desire to listen to the speech of the hon. Gentleman—to that annual oration of which he had been in the habit of delivering himself during the last six years. Any one who should have entered the House while the hon. Gentleman was speaking, and who might not be aware that a Committee was granted, would imagine, from the tone of the hon. Gentleman that inquiry had been altogether refused by the Government. In fact, the hon. Member's speech must have been intended as an answer to a resistance to the Motion on the part of Government, and coming full with it down to the House, he could not avoid disburdening himself of it. In no other way was it possible to account for the tremendous array of common places with which the hon. Member had favoured them on this occasion. The hon. Gentleman had told the Government, that they ought to inquire into the grievances of which the people complained. Why, the Government were ready to do so. His right hon. friend, the Vice President of the Board of Trade, assented to the appointment of a Committee of Inquiry, and there was, therefore, no necessity, on this occasion, for the unprovoked, the gratuitous and generous eloquence of the hon. Gentleman. He did not feel called upon to vindicate his lamented friend, Mr. Huskisson, against the attacks of the hon. Gentleman. To him was attributable the practical wisdom of the last ten years, and he had the merit of applying great principles to great emergencies, and to the march of events. Adhering as he (Mr. Grant) did to all those great principles of his late right hon. friend, not surrendering one of those principles, he perfectly agreed with his right hon. friend near him in the propriety of acceding to this Motion.

Sir *Richard Vyvyan* said, the appointment of this Committee was a triumph of which those who had been for five years contending for inquiry might be justly proud. The Government of England had at length acceded to inquiry, and even the right hon. Gentleman opposite, who, a fortnight ago, had expressed himself against it, had now become a convert to the propriety of inquiry. He (Sir R. Vyvyan) had to congratulate the 500,000 persons who were engaged in manufactures in Macclesfield, Coventry, Manchester, and Spitalfields, that their grievances had at length a chance of being investigated and redressed.

Mr. *Hunt* said, that the system of excluding human food, by means of the corn laws, while human luxuries were admitted, was one that was unjust in principle, and bad in practice, and he was sure if Mr. Huskisson were living, such a system would not be advocated by him. He was certain that, if Mr. Huskisson, were living he would make a speech the very opposite of that which had been just delivered by the right hon. Gentleman (Mr. Grant).

Lord *Eastnor* said, he could not allow the discussion to terminate without expressing an opinion that Ministers were bound in consistency to grant a Committee to inquire into the case of the glove-manufacturers. Those persons attributed their distress to the measures of Government. An inquiry, therefore, in justice ought to be afforded to the glove trade, there being no difference in the circumstances of the two branches of trade.

Lord *Althorp* said, that there did exist a great distinction between the glove and the silk trade. If the Government agreed with his noble friend (Earl Grosvenor) in giving the Committee, still his right hon. friend, the Vice President of the Board of Trade, had stated the principle on which that Committee was to be granted, and the argument had no reference to the state of the glove trade. His right hon. friend had said, that the reason why Government agreed to the Committee was, not on account of distress in that branch, but in order to inquire into certain facts. One of those facts was, to know whether the distress of the silk trade was to be attributed to smuggling. It was well known that smuggling went on in silk as a regular trade, and that there was an insurance office established in Paris for that purpose. No such facts, however, existed as to the glove trade. Another reason for appointing the Committee was, to ascertain whether the duty at present exacted for the protection of the throwster was necessary. If this duty should be found unnecessary, it would be removed. This would have the effect of lowering the price of thrown silk, and would thereby operate as a relief to the weaver; for these reasons he considered himself entitled to say, that there was a clear distinction between the glove and silk trades. He must not omit to state, however, that the duty on silk was represented as operating very unequally—in some cases it was not more than fifteen per cent, in others sixty. This formed another ground for inquiry. It was also ridiculous to apply the term free trade to one so protected as the silk trade was; and indeed so minute was the difference between the two manufactures, that officers had frequently gone into rooms where there were both French and English goods, but durst not make a seizure, from incapacity to distinguish between them.

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* Hansard's Parl. Debates, New Series, vol. x, p. 331.

Earl *Grosvenor* was extremely glad the noble Lord had consented to the appointment of the Committee, although the right hon. Gentleman, the Vice President of the Board of Trade, had attached another branch of inquiry to it. But that the result should prove beneficial to the interests of the manufacturers was his only object; and he, therefore, trusted, that the names of the persons to be appointed would be such as that a full, fair, and impartial inquiry might be instituted. The right hon. Gentleman, the Vice President of the Board of Trade, had compared the present distress with what had been experienced at intervals before, and had argued, therefore, that it could not be attributed to the alteration of the law, but what he appeared chiefly to rely upon was, that the quantity of raw silk imported for the four or five years preceding 1824 was considerably less than the quantity imported during the four or five subsequent years; but the right hon. Gentleman must know, that the increased quantity of silk now consumed was applied to the manufacture of an article of inferior quality. As, however, Government had consented to inquiry, he would not enter into any further examination of the topics the right hon. Gentleman had introduced in the course of his speech.

The question, "That a Select Committee be appointed to examine into the present state of the silk trade, and to inquire what effects have been produced by the changes in the laws relating to it since the year 1824, and whether any and what legislative measures compatible with the general interest of the country may be advisable, in order to promote it, or to check smuggling in silk manufactures, and to report their observations thereupon to the House," was then agreed to.

Earl Grosvenor then read the names of the Members whom he wished to have placed on the Committee.

Lord *Althorp* proposed that four additional Members whose names he mentioned, be added to the Committee.

Earl *Grosvenor* objected to the addition, not from any personal feeling against the Gentlemen named, but from the impression, on the part of those whose interests he had that night advocated, that these were gentlemen pledged to the free trade system.

Lord *Althorp* said, as there appeared a difference of opinion relating to the Members to be appointed in the Committee, he thought it would be better to postpone the question; he, therefore, begged leave to move, that the nomination of the Committee be adjourned until to-morrow.

Motion agreed to.

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HOUSE OF LORDS,

Friday, March 2, 1832.

MINUTES.] Bill. Read a second time; Baking (Ireland.)

Returns ordered. On the Motion of Lord AUCKLAND, an Account of the quantity of Gloves, and of Kid and Lamb Skins Imported, of the quantities used for Home Consumption, and the quantities re-exported, from the year 1820 up to the year 1832.

Petitions presented. By Viscount STRANGFORD, from the Glove Manufacturers of Yeovil, against the Importation of Foreign Gloves, and by Lord TEYNHAM, from Maidstone, to limit the Hours of Working of Children Employed in Factories.

THE LORD CHANCELLOR OF IRELAND.] The Marquis of *Londonderry*: my Lords I was not in the House when the Lord Chancellor of Ireland moved for returns of the emoluments of his Secretary, and of those of two noble and learned Lords who preceded him in that distinguished situation. I did not hear the observations with which I suppose he accompanied that Motion, but I presume the noble and learned Lord originated it with a view of giving him the opportunity to purge himself from the imputations which are laid at his door relative to the large emoluments he derives from his position, both for himself and the various members of his family. My Lords I entertain no personal hostility to the noble and learned Lord, and I put the questions I am about to do in a spirit of candour and of fairness; but, as I was told in a former Session, when I spoke of the large amount of the Lord Chancellor's emoluments, that I was mistaken, I wish now to state, that my assertions are confirmed by several newspaper publications in Ireland; and I presume that those statements are true; for, if they were not, surely the noble and learned Lord would have, ere this, attacked the editors of those papers for disseminating such false and scandalous libels. I have heard of nothing of the kind, though I hope there is no truth in the statement, that the noble Lord and his family possess twenty-two places, the annual salaries of which amount to 36,000*l.* I think however, as the noble and learned Lord forms part of an Administration which gives out that it is so desirous to promote economy, and to diminish the burthens of the people, that he might, for his credit and that of the Government with which he his connected, have taken some pains to show that those charges are ill-founded, or he might at least have moved, in addition to the return of his Secretary's salary, for a return of the offices and incomes derived by the Plunkett family under him. Matters of so grave a nature should not be allowed to remain uncontradicted in the public newspapers; and it is proper, if the noble and learned Lord does not think it prudent to prosecute the papers for libel —as I must take for granted that those charges are scandalous and false—that we should get information here to satisfy your Lordships and the country on the subject. My Lords, I will fairly tell the noble and learned Lord, that I do not approve of his conduct in Ireland, and I am inclined to agree in what Mr. O'Connell has said, "that there was not a more pernicious legislator for Ireland, or more venal politician, than Lord Plunkett." With regard to the latter charge, I know nothing; but so far as to his being a pernicious legislator, I believe there never was a person whose counsels were more likely to produce the most deplorable consequences to his country. I am sorry to observe the nature of the advice which the noble and learned Lord gives to his Majesty; and I regret to find him, on a late occasion, suggesting answers, on the part of the Crown, to a petition from a very considerable body of persons, which must be prejudicial to the public good. I regret to find him, in another instance, calling the 250,000 subscribers to a petition to your Lordships a senseless body. Indeed I am of opinion that the policy pursued by the noble and learned Lord in Ireland is only calculated to sow dissension.

The Earl of *Radnor:* I beg leave to speak to order, and I ask the noble Marquis if he intends to conclude with a motion?

The Marquis of *Londonderry:* I am going to present a petition. My Lords, I repeat that the conduct of the noble and learned Lord is likely to lead to the most fatal consequences in Ireland. I do not speak in my own regard, though he and the Administration of which he is a part have endeavoured, as far as in their power lay, to deprive me of the affections of the people with whom I am by natural ties and situation connected. I can, however, tell the noble and learned Lord that he has failed in that respect, and that I still preserve the affections of my friends in Ireland, and the representation of their feelings and opinions is, on all occasions, transmitted to me. I am, my Lords, entitled to speak with authority on the subject, and I tell your Lordships, in the presence of the noble and learned Lord, that the conduct of his Majesty's Government in Ireland is fast carrying that country to destruction. I repeat, that I had not the opportunity of hearing the noble and learned Lord when he moved for the returns, and I now ask him, whether he will add to his notice the returns I speak of? or if he does not, I will submit a motion myself for the purpose. I have now, my Lords, to present a petition on another subject—[*laughter and "hear."*] That laugh, and those cries of "hear," are not very creditable to those who indulge in them. I have ventured to ask a question—I rose mainly for that purpose, and I cannot conceive that a jeer, or a taunt, or a cry of "hear," is an answer;

and I shall, therefore, be obliged to any noble Lord to find me a better reply.

The Earl of *Radnor:* I beg leave, my Lords, to rise to order. The noble Marquis has spoken at some length, under the pretence of presenting a petition. When he was called to order in the first instance, he declared that he had a petition to lay on the Table, and I confess, for one, that I looked to it with some degree of interest, for I could not well understand of what nature that petition could be which formed the ground-work of the observations the noble Marquis indulged in. The noble Marquis, concluding without any explanation, I think, my Lords, there is something like offence to the House in all this.

The Marquis of *Londonderry:* I conceive, my Lords, that the noble Earl says, I am in error; my conduct is perfectly in accordance with the practice of the House, and I recollect many instances where noble Lords at both sides have pursued exactly the same course which I have done, and have put questions, without making any motion, or presenting a petition.

The Earl of *Radnor:* I apprehend, my Lords, that the asking of questions to the extent that the practice has prevailed among us is altogether irregular, and it is only tolerated by the House for the purposes of convenience; but I submit to your Lordships that the course adopted by the noble Marquis is neither regular nor convenient, and I do not think it should be passed over without remark. If the noble Marquis requires the information he has asked for, he can obtain it by making a motion to that effect.

The Marquis of *Londonderry:* My Lords, it may happen unfortunately that I may have fallen into error. If the House think, instead of making these observations on the presentation of a petition, I should have submitted a notice of motion, I am ready to do so.

Lord *Plunkett:* My Lords, I rise to order. The noble Marquis said, he had a petition to present; as soon as he has done so, I will make a reply to the charges which he has so unjustly brought against me. But I call on the noble Marquis to present the petition.

The Marquis of *Londonderry:* I decline doing so at present—I shall present it on another day.

Lord *Plunkett:* then my Lords, I will take the liberty of submitting to your Lordships a resolution—of censure upon the noble Lord. The noble Marquis distinctly stated, in vindication of his irregular remarks, that he had risen to present a petition, and, having made that declaration, and been permitted, on the faith of it, to continue his attack on me, the noble Marquis is not at liberty to withdraw his petition. I will take the sense of the House on the question.

Lord *Ellenborough:* I was not present at the commencement of this conversation, but I must be permitted to say, that I think it would be wholly inconsistent with the usual practice of your Lordships' House to agree to the Resolution which the noble and learned Lord states it is his intention to propose. It is true, that the noble Marquis stated, that it was his intention to conclude his observations by the presenting of a petition, and, undoubtedly the House had a right to expect that he should have done so; but the noble Marquis is not obliged by the strict rules of order to do so; and I think the invariable practice of your Lordships in other matters will bear me out in what I say. Your Lordships are aware that any noble Lord who holds two proxies may give one to the affirmative side of a question, and the other, immediately after, to the negative. He may devote those votes to the contents and the not-contents on any division. I do not argue for the justice or propriety of this rule, but I collect from it that your Lordships retain the right in your own hands, at the last moment, of changing your intentions. I candidly admit I state an extreme case, but still it is your Lordships' constant rule, and, I conceive that it bears out the noble Marquis, however unusual the course he chooses to adopt may be. It is possible, during the progress of the observations of any noble Lord, that notions might arise in his mind to prevent his following the plan which he meant originally to abide by, and it is reasonable to think that, though the noble Marquis rose to present a petition, he saw good cause to induce him to come to an opposite conclusion. For these reasons, my Lords, I think it would be impossible for us to agree to the Resolution proposed by the noble and learned Lord, particularly if his object be to move a censure on the noble Marquis at the Table.

Lord *Plunkett:* certainly such is my intention.

Lord *Ellenborough*—I understood that such was the object of the noble Baron, from the tendency of his remarks, but previous to his taking that course, I trust the noble Marquis may be allowed to explain the consideration which induced him not to present the petition. Unless he is allowed this opportunity, to move a vote of censure upon him, would be most irregular and uncourteous to the noble Marquis, and might lead as a precedent to the greatest possible inconvenience. Yet with a view to the regularity of your Lordships' proceedings—

Lord Plunkett, Earl Grey, and the Earl of Radnor rose together.

The Earl of *Radnor*—My Lords, it is evident that the noble Baron—

Lord *Ellenborough*—I rise to order. The noble Earl who has just risen to call me to order is evidently about to speak to the question, and not to the point of order.

Lord *Teynham*—My Lords, I ask the Lord Chancellor of Ireland to write down his resolution.

The Earl of *Radnor*—I rose to answer the observations of the noble Baron.

Lord *Ellenborough*—It is contrary to our practice, and it would be contrary to justice, to hear the noble Earl again before the noble Marquis at the Table be heard; we should hear the noble Marquis.

The *Lord Chancellor*—Will your Lordships allow me for a moment? Your Lordships are of course aware, that the Speaker of this House has no power to interfere in the order of your proceedings, and therefore, what I now offer is only in the shape of a suggestion. I regret that the Speaker has no further authority, for the consequence of his want of due power is, that I have seen in the course of the last Session, as well as in this, more breaches of order, and more irregularity, than I ever witnessed in any House of Parliament, or, perhaps, in any public assembly whatsoever. That inattention to order, arises no doubt from the Constitution of the House, and it may be wise that it is so; but your Lordships are all aware that, from time to time, it is productive of the greatest inconvenience. I say this, my Lords, to excuse myself for presuming to interfere on this occasion, and I beg of you to think I only do so as any other Member of the House. But I beg leave to tell every noble Lord who rises, till this point be settled, whether he rises to order or not, that he is out of order, because there is no question before the House. I got up to put the question on the Resolution of the noble and learned Lord, and I believe the regular course now is, that I should put it to the House in the usual manner, and with the permission of your Lordships I will now do so. The question I have to put is, that the Earl Vane (the Marquis of Londonderry) having arisen in this House to make a speech without any question before the House, and having stated—

Lord *Ellenborough:* I rise to order. The Resolution, as put by the noble and learned Lord, refers to words alleged to have been spoken, and to a statement made by the noble Marquis at the Table. If they were not taken down at the time, it will be quite irregular to submit any motion respecting them,

Earl *Grey:* If there be any thing in the observations of the noble Baron, he must see, that he should not interrupt the order of the proceedings, as the regular course is, before any observations are made on the Resolutions, that it should be put from the woolsack.

The Lord *Chancellor:* The question is, That Earl Vane (the Marquis of Londonderry) having risen in his place to speak, without any question being before the House, and having stated on being called to order that he had to present a petition, but not having presented it, and having refused to make any motion, or to present the petition, has been guilty of a breach of the orders of this House.

Lord *Plunkett:* My Lords, I rise, with your permission, to address myself to the question before the House, and for the purpose of replying to one of the most unjust and most unwarrantable attacks that have ever been made on any individual within these walls. The noble Marquis began his observations with a declaration—which I give credit to, as I am bound to believe any statement made by a noble Lord—that he had no personal hostility to me; but I leave it to you, my Lords, to say, whether his conduct is consistent with that disclaimer of personal hostility. The noble Marquis, under the pretence of asking me a question, has not thought it unbecoming in him to go into a recital of all the falsehoods which newspapers have collected with regard to me or to my family. He has made himself the organ of all the calumnies which have been uttered against me, and, without the slightest pretence whatever, has made an attack as bitter, as severe, and as unwarranted, as the slender abilities of the noble Lord will allow him to do. Fortunately for me, the ability of the noble Lord to strike lags behind his inclination, as, in natural history, we see that the most venomous are among the least powerful of the animal creation. The noble Lord complains that I cried "hear" to some observation of his. I certainly did so; but still am unconscious of having committed very great offence, the rather as I am not apt to complain myself when the noble Lord deigns, in his own peculiar tone, to cry "hear" to any remark of mine. My "hear" I beg leave to remark, was at least not a scream—not a sound pushed beyond the usual limits of human exclamation—in fact, was not much calculated to alarm the ears or the feelings of my auditors. In this, I confess, there is a marked difference between us; but surely my vocal inability to cope with the noble Lord ought not to be charged upon me as an offence. A noble Baron opposite (Ellenborough) has defended the noble Marquis's proceedings as not inconsistent with the usages of the House. "My noble friend," said he, "having thought better of it, was by no means irregular in withdrawing the petition he rose to present." In this, the noble Marquis, then, is only appearing in a new character, exhibiting his dramatic versatility. Allow me to congratulate him in eclipsing even himself as an orator and a logician. It is conceived to be a notable result of most specimens of human eloquence to convince others against their preconceptions, and persuade them to act according to the wishes of the speaker. For the first time, however, in the history of logic and oratory, we now have a "learned Daniel" who, in the course of his oration, actually persuades, not others, but himself, to act contrary to his own predetermination. The noble Lord has frequently before persuaded others, who might otherwise have voted on his side, that to do so would be acting in the teeth of common sense; for it is one of the shining attributes of the noble Lord's genius, that his support is injurious only to those who have the misfortune to count him as an ally; but this I believe is the first time that his *per contra* persuasive powers have been successfully directed against himself. Long, I trust, will they be so harmlessly directed, and long may they be as successful in persuading others to the reverse of his intentions as they have in the present instance, with himself. Before the noble Lord had ventured to attack me as he did, and complain of the remuneration which I have derived from the public for my services, he ought to have made himself somewhat better acquainted with simple facts. Had he been present the other evening when I moved for returns of the appointment of Secretary to the Master of the Rolls in Ireland, he would have heard me state the object of my motion, and thereby have avoided wasting his time and eloquence this evening. I now tell the noble Lord—not for his personal satisfaction, for with him I will hold no terms, and will offer no explanation whatever with a view to removing his dissatisfaction, but for the satisfaction of the House—the object I had in view in moving for these returns. Aspersions, the most unwarranted and injurious, were thrown out in another place against me with reference to the appointment of my Secretary, and a notice of motion was given in the House of Commons for documents connected with that appointment. I, accordingly, for the purpose of meeting any calumniator who would dare to repeat these aspersions to my face in this House, came down and moved for similar returns to be laid before your Lordships, so as to afford any noble Lord who might be disposed to repeat the calumny an opportunity of doing so, and myself an opportunity, which, with God's blessing, I will never shrink from, of meeting, and exposing, and chastising my calumniator. In moving for the returns, I also moved for returns of the similar appointments made by my two predecessors in office, in order that your Lordships and the public might clearly see, that the aspersions and calumny applied as much to Lords Chancellor Manners and Hart, as to Lord Chancellor Plunkett. The noble Lord has thought proper, on the authority of a newspaper statement, which, I assure your Lordships, I have never read, and to which I am wholly indifferent, to state, that my family derive 36,000*l.* a-year from the public, and concerning which he calls upon me for explanation. I will not stoop to refute so extravagant a falsehood. I envy not the structure of understanding, which could bestow upon it a moment's credence. What! are noble Lords to be called upon to defend themselves in Parliament against every stupid calumny which mortified but most impotent vanity, or the virulence of faction, may insert in a newspaper. I am surprised that even the noble Lord could entertain such a monstrous proposition. He asks me, have I made any inquiry as to the source or authenticity of the statement? I answer him, no. I would not lower myself in my own estimation by treating it otherwise than with silent contempt. I ask the noble Lord, have any statements ever appeared in newspapers touching his own personal affairs? And, if so, has he been called upon, as he calls upon me, in his place in Parliament, to explain them away? Was it ever, for example, stated —no doubt without any foundation—that the noble Marquis applied to a certain Prime Minister for some remuneration or pension, which the said Prime Minister was cruelly unjust enough to refuse? Was the noble Lord, in a word, ever called upon to explain to the public the amount and distribution of the large sums of public money which found their way to the pockets of the Stuart family? Certainly not: it was reserved for himself to set the precedent of making a most senseless newspaper calumny the occasion of as senseless an attack on the individual calumniated. I state, then, that the newspaper allegation, on which the noble Lord has grounded his attack, is totally and absolutely a falsehood. Whether it is quite fair and consistent with the usage of Parliament and good society to make the allegations of a newspaper the pretext of calling upon any noble Lord to enter into a statement of his family affairs, I leave it, after this emphatic denial, to the good taste and gentlemanly feeling of your Lordships. I take leave of the calumny, with this assurance to the noble Lord, that I am one who have never been a hunter after favours from any Minister or government whatever. I am not one who has given his support or his opposition in Parliament according to the mere dictates of vanity or personal interest, and I am one who never made a demand for public money which the individual from whom it was demanded was forced to stigmatize as "too bad." The noble Lord professes to entertain no feelings of personal hostility against me. I profess to entertain no such feeling against him; but this I tell him, by way of wholesome warning, that if he, on any future occasion, venture to indulge in rash attacks on my character, though I will not degrade myself by following the example of personal invective, he may perhaps have little reason, so far as the vanguards are concerned, to congratulate himself with a large balance on the credit side of the account between us. The noble Lord has thought fit to catechise me as to the advice which I may have felt it to be my duty to give my Sovereign in matters connected with the office I hold under him. What right has the noble Lord, or any noble Lord, to ask me such a question? Or, on what ground should he venture to charge me with having deprived him of the confidence of his Majesty, and to have given his Majesty counsel displeasing to a party who arrogate to themselves exclusive loyalty, while they are thwarting, by every means in their power, the King's Government? Such questions and such charges are the mere ravings of distempered vanity, and are not to be reasoned with by those who are capable of sound ratiocination. I can assure the noble Lord that, so far from occupying the time of my Sovereign with discussions of the noble Lord's transcendent merits as a statesman, an orator, or a logician, I never have wasted a moment of even my own time on either, and that the noble Lord's affairs are to me a matter of as utter indifference, as I am sure they must be to the rational portion of the public. This declaration may not be flattering incense to the noble Lord's estimate of his own public merits, but it is a simple fact, which I trust will spare him much future fretfulness. I do not recollect whether there is any other point on which the noble Lord is anxious to "obtain some explanation." If there be, and that he will have the goodness to remind me of it, I shall be very happy to afford him all in my power. Perhaps the little I have afforded will suffice him for the present: if not, let him hoist the flag, and I am ready for the combat. With respect to the Members of my family, I have nothing to conceal in regard to any of them. If they hold public situations, they fulfil the duties attached to them, and are not, therefore, an improper burthen on the public. I have six sons, and I have certainly endeavoured to provide for them, as it is my duty to do. Two of my sons are in the Church, two at the bar. I defy even calumny to impeach their conduct at either. My eldest son derives no emolument from the public, and all my family occupy but that station in society to which I am persuaded they are fully entitled.

The Marquis of *Londonderry:* I wish to put it to the noble Lord, whether persisting in his resolution can have any other effect than perpetuating angry personal feelings. Among your Lordships I am desirous to explain, that I was prevented presenting the petition which I meant to lay on the Table solely by the jeers and taunts which were directed against me, when I said I was about to present a petition on a different subject from that on which I spoke, and I was determined to show, that I would not allow any noble Lord to scoff and taunt me. If it be your pleasure, my Lords, I will now present it to the House. With respect to the course pursued by the noble and learned Lord, I must say, that, instead of answering my question, he has chosen to bring forward personalities in reply. He has evaded a statement of facts, but I must tell the noble Lord, that neither eloquence nor facetiousness can get the better of facts. I hold in my hand, and I will now read, a document which has appeared in all the Journals of Ireland, and, as I said before, if it be untrue, the noble Lord should have prosecuted the papers for libel. The statement has been generally circulated in Dublin. I think the noble and learned Lord should be disposed not to look upon it with so much indifference; and it may be worth his while to explain the charges brought against him. The noble Lord, however, does not choose to do so, and he prefers to calculate what I have received during ten years of diplomatic service, to compare it with his own, and to draw a large balance against me.

Lord *Plunkett:* I did no such thing.

The Marquis of *Londonderry:* I ask you, my Lords, if that is a fair way of meeting the charges?

Lord *Plunkett:* I repeat I did not do so.

The Marquis of *Londonderry:* The noble Lord then referred to words said to have been used by the late Earl of Liverpool; but that is rather a curious mode of defence, and I protest I cannot see how the turning on me can answer the charges which are brought against himself, for money received by him and by his family. With regard to that diplomatic pension which the noble Lord refers to, I can only say, it was never asked for myself, but for the profession to which I had the honour to belong. It was not for me to decide whether the Government was in a situation to give it or not, but I felt it to be my duty to advocate the claim, leaving myself the choice, if it were decided in my favour, to accept of it or not. I defy the noble and learned Lord to prove that the course of my life has been avaricious. I defy him to charge such a stain upon my family, one member of which your Lordships were well acquainted with; and I challenge him to disprove this assertion, that if ever there was a Minister who drew less from the public purse than another, it was that distinguished relative to whom I allude. For myself, I can only say, that, as an Ambassador, I had but the same allowance as any other Ambassador; and, with regard to the pension, I was bound to uphold the interests of the service to which I was attached. I, therefore, claimed it; and I think the decision against me was unjust. As the noble Lord has provoked me to it, I will read what is stated of him, by which it will be seen whether or not the members of the economical and retrenching Administration, with which he is connected, take care to feather their own nests. The first item is, the Lord Chancellor of Ireland, 10,000*l.*—

Lord *Plunkett:* That is the first falsehood.

The Marquis of *Londonderry:* I did not interrupt the noble and learned Lord. I hope he will not interfere with me, and allow me to go on without this breach of order.

Earl *Grey:* My Lords, I must interfere, for the purpose of saying one word. There is a resolution before the House, respecting the breach of order which the noble Marquis has committed, in the latitude of discussion which he assumes to himself, which must be disposed of. My Lords, I cannot conceive on what principle it is that a noble Lord comes down to the House with a newspaper statement of all the offices which another noble Lord and his family are supposed to possess. I do not understand on what principle an explanation can be demanded from any noble Lord on such a statement, and I think that the valuable time of the House should not be occupied at all with it. Such newspaper reports are generally most erroneous, and much exaggerated. For instance, we have all heard of a certain publication called the "Black Book," and that the name of every Member of this House has figured in it, with sums attached to their names, as of the public money received by them. If the present case be in order, all this may be brought before the House; and, I imagine, neither the noble Marquis, nor any noble Lord who is named in that book, would like to see it brought down here, and be questioned as to its gross and extravagant falsehoods. Therefore, I say, the course of the noble Marquis is most disorderly, and it ought not to be pursued.

The Marquis of *Londonderry* said, he had erred unintentionally in having made the remarks he had submitted to the House, without a specific motion. He acknowledged it would have been more regular to have moved for returns of the emoluments, salaries, &c. enjoyed by the noble and learned Lord and his family, and, probably, he would do so on a future occasion, so as to afford the learned Lord an opportunity of proving, that his professions of disinterestedness, and of having been above all sordid considerations during his public career, were above cavil or suspicion. When he was deprived of the high situation which he had formerly held in Ireland, he thought he had some right to speak his sentiments broadly, and to be heard with patience by the House.

Lord *Ellenborough* rose to order. He fully concurred in what had fallen from the noble Earl opposite, with respect to orders of the House; and, while he said this, he would make no observations upon what had been said either by the noble Marquis near him, or the noble and learned Lord at the other side of the House. He would not oppose the noble and learned Lord while he spoke, because he felt that the Resolution moved by him was so moved with a view to enable the noble and learned Lord to reply to the observations made upon him; but he would oppose the noble Marquis who had just been speaking. It was to be recollected, that the noble Marquis had said, that his only reason for not presenting the petition was, the excitement he laboured under from the taunts of the noble Lord opposite; and that, if it were the pleasure of the House, he was then ready to present the petition. He (Lord Ellenborough) apprehended that, after this, there was but one course left to the noble and learned Lord opposite, namely, to withdraw his Resolution. Another reason might be given why this course was advisable, namely, that if one noble Lord did trespass on the orders of the House—of which, by the bye, their Lordships were not very strict observers—there might be some apology for him, under such circumstances as had taken place. But, above all, it was to be borne in mind that such motions as the present were only calculated to excite personal feelings, and they did not at all contribute to the proper and calm discussion of any subjects that might come before the House.

Earl *Grey* said that, however unpleasant and however painful this Motion might be, he hoped it would have one good effect in correcting the extreme irregularity which the House had lately indulged in, and that noble Lords, in future, would not proceed to a latitude of extravagant declamation on topics not at all connected with the subject before the House. And here he begged to give fair notice to the noble Marquis that he would give no answers to the questions intended to be proposed by the noble Marquis on Monday; but that he should be ready to meet the noble Marquis upon any motion he might bring forward with reference to the extraordinary diplomatic exhibitions he had alluded to. He, however, trusted that any motion that might be originated would be brought forward in a regular manner. He was unwilling to press this Motion with unusual severity; but it was to be recollected, that the noble Marquis had pursued a course anything but usual in that House. The noble Marquis had made a most violent attack, in the course of which he had read a gross libel on the noble and learned Lord, calling him venal and corrupt. The noble Marquis had been called to order by a noble friend near him (the Earl of Radnor); when, to vindicate himself, he said that he intended to present a petition on the subject. He could not conceive, for his part, what kind of petition would warrant the observation of the noble Marquis; but he felt, at the same time, bound to wait and ascertain it. However, the noble Marquis, at the conclusion of his speech, said, "And now, my Lords, I beg to present a petition on a totally different subject." Then the noble and learned Lord brought forward his Motion; and, upon that, the noble Marquis refused to present any petition whatever. How, then, did the matter stand? The noble Marquis went into a speech which he ought to have made only upon a motion. He assigned, as his justification, his intention to make such motion; but, when he came to the end, he would make no motion. He (Earl Grey) thought, that if the

House meant to pay any regard to its usages and orders, it would be impossible for their Lordships to decline doing something to mark their sense of the breach of these usages. But, as he had said, he was unwilling that his noble and learned friend should press his Motion; though, before his noble and learned friend could be asked to withdraw his Resolution, there must be some apology for the breach that had been committed. The noble Lord (Ellenborough) had offered something of the kind, but the noble Marquis himself had done no such thing; and instead of doing so, had, on the contrary, rather aggravated his original violation of order. If the noble Marquis would now do as had been offered by the noble Baron (Ellenborough), he would concur in desiring his noble and learned friend to withdraw his Motion; but, unless some atonement were offered for the violation of the orders of the House, it would be impossible for him to concur in any such request.

The Marquis of *Londonderry* said, that, if the noble Lord thought the Motion a good one, he might persevere in it. He (Lord Londonderry) must, however, say, that there was no day during the last Session on which he had not heard noble Lords come down and put questions of this kind. If this were just and allowable in others, could it be just to pass a censure upon him, because he had mentioned charges which might not be agreeable to an individual, and which charges, although strong, might, as to the facts, nevertheless be true? Nor could the noble Earl, let him do what he would, oblige him to obey his dictatorial domination. He was ready to present the petition: he stood upon his innocence, and, if he had given way to his feelings, he had done no more than had been repeatedly done by others. If the noble Earl, feeling he had the power, wished to pass a censure upon an individual like him, he might of course do so.

The Earl of *Aberdeen* admitted that, according to the strict rule of the House, the noble Marquis had been guilty of a breach of Order; but he must, at the same time observe, that the noble Marquis might, even after making a speech upon all matters whatsoever, have placed himself within the Orders of the House, by concluding with moving an adjournment. This had been done by a noble Lord opposite, in his (the Earl of Aberdeen's) own case. He did not mean to justify the practice, but merely meant to state the facts. He regretted the tone of the noble Earl's observations, which had thwarted the completion of the course at which they were arriving, namely, that of the noble Marquis's presenting the petition, and thus practically apologizing to the House for the error into which he had been betrayed; and the noble and learned Lord's withdrawing the Motion. He did not consider that the matter was of sufficient importance to be made the subject of a proceeding so grave; and it would be scarcely just, after the opening which had been afforded by the noble Marquis, if the affair was not at once brought to its proper conclusion; especially as the noble Marquis had admitted that he acted upon the spur of the moment.

Lord *Dover* said, that, with reference to the vote of censure proposed, it must be borne in mind that, in the first place, the noble Marquis had made a virulent attack on the noble and learned Lord, and in the course of it had offered him an insult. The noble Marquis had not since offered any atonement for it.

Lord *Wharncliffe* said, that the question was, not whether there had been a breach of order, but whether it was worth while to visit the breach of order that had been committed with the punishment of censure. Noble Lords opposite might be of a different opinion, but he thought this was a course that should not too frequently be resorted to. He was sure that the noble Marquis would say, he was sorry for having committed a breach of the Orders of the House, and then, doubtless, the noble and learned Lord would withdraw his Motion. He did not apprehend that the noble Marquis would object to doing this, for he had himself admitted, that he did commit a breach, but that he thought the taunt which had been applied to him gave him some excuse. There was no one who had heard the whole transaction who must not admit, that the noble Marquis had violated the Orders of the House, and there could be no imputation upon him for saying that he was sorry for having done so.

Earl *Grey* agreed with the noble Lord who had just spoken, and, as he had before said, nothing was more foreign from his wish than to press this Motion; but, as the question had been raised, some apology was due to the House. Without this, he did not see how the Motion could be withdrawn.

The Marquis of *Londonderry* said, that, according to the rules of the House, he had committed a breach of its Orders, he must admit; but that others had equally committed similar breaches he would aver. According, therefore, to the rules of the House, he had no hesitation in admitting that he felt bound to say he was sorry for having done so.

Earl *Grey* had no hesitation in saying, that the noble Marquis had made the requisite apology, and he was as convinced, that his noble and learned friend would withdraw his Motion.

Lord *Plunkett* said, he had much satisfaction in acceding to the wish of his noble friend, and he would therefore beg leave to withdraw his Motion.

Motion withdrawn.

HOUSE OF COMMONS,

Friday, *March* 2, 1832.

MINUTES.] Returns ordered. On the Motion of Lord JOHN RUSSELL, of the Number of Houses in 1821, and 1831, and of the Numbers of Persons rated to the Relief of the Poor as Occupiers; of the Number of Houses compounded for by Landlords; and of the Number of Persons Excused from the Payment of Rates in the Parishes of St. Marylebone, St. Pancras, Paddington, St. Giles's-in-the-Fields, St. George, Bloomsbury, St. Andrew's, Holborn, and St. George the Martyr, shewing also the difference between the probable Number of Voters under the Reform Bill, and the total Number of Inhabited Houses:—On the Motion of Mr. GEORGE PONSONBY, for Copy of the Fourth Report of the Commissioners appointed to inquire into the Proceedings of the Courts of Common Law.

Petitions presented. By Mr. TOWNLEY, from the Inhabitants of Chatteris, in the Isle of Ely, in favour of the Factories Regulation Bill:—By Mr. JOHN CAMPBELL, from the Gentlemen frequenting the Gresham Dining Rooms, and of several Persons Tradesmen and others in London, in favour of the same Bill, and from two Individuals against the Arbitration Bill.

MINISTERIAL PLAN OF EDUCATION (IRELAND).] Mr. *James E. Gordon* said, he had several petitions to offer on the subject of Education in Ireland; and had waited for some time in the expectation that a noble Lord would, ere this, have presented the petition which had been committed to his charge from Ulster, expressive of the opinion of half a million of the Protestant inhabitants of Ireland, because he felt anxious that some discussion should take place upon the presentation of that petition. The plan which had recently been adopted, however, rendered it so very uncertain when the noble Lord would be able to bring up the petition, that he considered it his duty not to delay any longer the presentation of the petitions which had been intrusted to him. It was certainly not his intention to say anything which might have the effect of forcing a discussion on the present occasion; but, with reference to the subject generally, he must be permitted to observe, that it was one upon which greater unanimity existed among the Protestants of Ireland than upon any other question he had ever known. In proof of this assertion, he could safely refer the House to the expression of popular feeling which had taken place in the north of Ireland. No sooner had the letter of the right hon. Gentleman, the Secretary for Ireland, to the Duke of Leinster, been circulated in Ireland, than the friends and supporters of religious education resolved to hold a public meeting at Dublin, in order, in the face of open day, to record their opinion, and to express, without hesitation, the feelings of the Protestant people of Ireland generally. Clergymen came to that meeting from the most distant points, and upwards of 3,000 respectable persons were assembed at it; and never could more unanimity of feeling prevail, than was there expressed against the proposed new plan of education. He must further observe, that the Dean and Chapter of Dublin entertained the same sentiments, and lost no time in expressing their feelings to the Archbishop of Dublin Several other important meetings had been held, which had been presided over by the Bishops of certain dioceses, at which the persons present had recorded their opposition to the new scheme of education. That this feeling was not confined to the Protestants of the Established Church was evident, from the strong expression of opinion which had been put upon record by the Synod of Ulster; but, as that petition had been intrusted to the care of the noble Lord to whom he had previously alluded, he would not anticipate the discussion upon it. With regard to the Protestant people of England, an appeal had been made to them by the Protestants of Ireland, and it had been loudly responded to. A meeting had heen held in this metropolis, attended by an immense multitude of persons—a meeting, perhaps, more important than any which had taken place since the time of the Reformation. Meetings had also been held at various other places; and he had reason to believe that there was scarcely any town in England which would not meet to record the opinions of its inhabitants as disapproving of the new system of education proposed for

Ireland. He had not yet heard that there had been any meetings in Scotland to discuss this matter, but he had no hesitation in stating his belief, that meetings in that part of the kingdom would follow those of England and Ireland, and that hon. Members would soon be put in possession of petitions from Scotland, shewing that the people of that part of the empire disapproved likewise of the proposed plan. He had thought it his duty to make these few remarks on the subject generally, as preliminaries to presenting the following petitions, which he considered deserved the serious attention of the House. The first was from the Vicar, Curate, and members of the congregation of the church of St. Peter, Hereford, in which they pray, that, if the Legislature think fit to withdraw the grant usually made to the Kildare-street Society (which acted upon the principle of making the Holy Bible the basis of religious education), that that grant might also be withheld from all other societies; thereby leaving the education of children to devolve upon persons of their respective denominations. He had also to present similar petitions of the clergy and inhabitants of Edgeworth's-town—of the Presbyterian congregation of Clough—and of the Protestant inhabitants of Monasterevan.

Mr. *Stanley* perfectly concurred in deprecating any discussion upon a subject which, from the very nature of the question, must render that discussion a most protracted one. He did not pretend to deny, that, on the part of many highly respectable Protestants in Ireland, there was a very strong feeling against the plan of education proposed; but, at the same time, he must state his confident belief, that a great portion of that feeling was founded upon an erroneous impression. He knew that his noble friend, the member for Armagh, had for some time been waiting to present the petition from Ulster (a petition which, he acknowledged, deserved a high degree of respect); and he would, therefore, say, that the occasion of the presentation of that petition would give the House an opportunity of entering fully into a discussion upon this great question, when he hoped to show that, so far from Ministers wishing for any mutilation of the Bible, or to preclude children from religious instruction, their object had been, to give to persons of all sects the greatest amount of religious education which each of the parties could receive in common. He would not trouble the House further on this subject at present, but would reserve his remarks until the petition was presented that had already been alluded to.

Mr. *Leader* must be permitted to remark, that the most unremitting efforts had been made, and were still making, to raise a clamour against the acts of Government in reference to the plan of education which had been proposed for Ireland; but on this subject he must implore the House to recollect, that the Protestant clergy were bound to support parochial and diocesan schools. The persons professing the tenets of the Established Church had, therefore, the advantage of places of education, with the means of amply endowing them; he, therefore, trusted, it was but fair to ask the people of England and Scotland to suspend their judgments until a full discussion of the whole subject, connected with the proposed plan of education for persons of other persuasions, should be had in that House, at which time he would take the opportunity to explain his opinions, and he hoped other hon. Members would follow his example, and not bring on a premature discussion at the present moment.

Sir *Robert Bateson* was of a different opinion from the hon. Member; he thought the discussion on this subject ought not to be put off any longer, and, therefore, he would call upon the noble Lord, the member for Armagh, to name an early day to bring forward the petition from Ulster. He asked this more particularly, because he had received a letter from the Moderator of the Synod of Ulster, desiring to know when the petition was to be presented. The delay in doing this, was treating the Synod with a neglect they did not deserve; although he must acknowledge the obtaining opportunities to present petitions, was difficult. He must be permitted, without entering into any discussion at the present moment, to contradict the assertion of the hon. Member, who had said, that the opposition to this newly-established board of education had been got up by clamour. He would refer to the Ulster petition in proof of what he maintained. He denied that any clamour had been excited: the opposition to the new plan of education had originated in the most conscientious motives and feelings.

Lord *Acheson* assured the House that

he had done all in his power to present the petition which had been alluded to; and he was, therefore, surprised at hearing himself accused of delay in not having yet obtained an opportunity of doing so. As the result of the ballot, which was now adopted, was, of course, very uncertain, he could not, pledge himself to name a day on which he could lay the petition before the House.

Mr. *Stanley* begged to inform the hon. Baronet, as a good reason for postponing the discussion on the present question, that the hon. and learned Gentleman, the Recorder for Dublin, was charged with a petition from the city of Dublin; therefore it would be better that the discussion on the whole of the petitions should be taken on a future day, on the return of the hon. and learned Member for Ireland, which, he believed, would be in a day or two. He did not desire, however, any unnecessary postponement. Indeed, so far from that, he wished to enter into the subject at the earliest opportunity.

Mr. *Andrew Johnston* said, the hon. member for Dundalk, had fallen into an error, when he asserted that no meeting upon the subject of Irish education had taken place in Scotland, for he had now the honour to present a petition, agreed to at a meeting of upwards of 3,000 persons at Aberdeen, complaining of the proposed plans, being unchristian in principle, as it went to exclude the free use of the Holy Bible, upon which, in their opinions, all religion must be based; the petition was couched in moderate, but firm language, and the sentiments contained in it met with his most cordial concurrence.

Mr. *Stanley* said, he could make no further observation in reply to the hon. Member than to remark that the speeches made in presenting these petitions afforded the most complete proof, that great misapprehension existed on this subject. Of the christian-like feeling they evinced who signed such petitions he would not say one word.

Mr. *Andrew Johnston* rose to move, that these petitions should be printed, and to say to the right hon. Secretary, that the one he presented expressed the conscientious opinions of those who had signed it.

Petitions to be printed.

TITHES (IRELAND).] Mr. *Walker* presented Petitions from the inhabitants of Rahill and Rathvilly, praying for the abolition of tithes; and from Old Leighlin, Wells, Killinane, and Tullowcrun, for the abolition of tithes, and for the resumption of the Church lands. He did not propose to make any further observations on this occasion than to refer to a statement which had been made upon some remarks of his relating to a trial to which he had formerly alluded; it was that of a farmer who was sued by Mr. Radcliffe, of Ennescarthy, in the Consistorial Court of Ferns, upon a receipt given for costs growing out of a trial for tithes. The conduct of the Judge on that occasion had been such, that he felt it necessary to make some strong comments on it, and he now begged leave to say, that he was in Court on the occasion, and knew the facts he had formerly stated to be correct.

Mr. *Lambert* supported the prayer of the petitions, although he must observe, that he considered the tithe question to be practically put an end to. He deeply regretted that any acts of outrage had occurred, but, wherever such acts had taken place, they must be charged to the system itself, which had been productive of more mischief and horrors, and had done more to separate the people of Ireland into parties, than all other subjects, political or religious together. From authentic documents he had seen, it appeared that 26,000 lives had been lost, through their agency, within the last thirty years.

Mr. *Lefroy* felt himself called upon to vindicate the character of the reverend Doctor Newland, the Surrogate of the Ecclesiastical Court of Ferns, which had been assailed by the hon. Member in so wanton a manner on a previous occasion, that that Gentleman had felt it necessary to repel the allegations, and, as the hon. Member had now again alluded to the subject, he trusted the House would listen to his vindication of himself. The farmer, to whom the hon. Member had referred, pertinaciously refused to pay his tithes, and, therefore, it was necessary to put the law in force against him. The chief grounds of complaint were, that the advocate brought by the farmer from another Court was not allowed to act in his behalf until he had paid certain fees; but this was necessary, in order to prove that the proctor had been regularly admitted to practise elsewhere. Again, the amount of 6*l.* an acre, charged for tithes, was considered as oppressive, but the crop was tobacco, which was generally worth upwards of

100*l.* per acre; he had thus, he thought, fully shewn that there was no foundation for any complaint against the Surrogate, and he would only express his regret at the practice of assailing the characters of Gentlemen who were absent, which was much too prevalent with certain Members of that House.

Mr. *Henry Grattan* said, the hon. and learned Member's vindication of his reverend friend, was wholly uncalled for. His hon. friend had only alluded to it as one proof of the abuses of the Surrogate Courts of Ireland, and, as he had declared he had witnessed the trial, they had his assertion against that of the reverend gentleman, and he knew which was to be preferred in such a case, when one of the parties had a direct interest in the question.

Petitions laid on the Table.

Benefit Societies.] Mr. *Slaney* expressed a wish to be informed by the hon. member for Boston, whether it was his intention to bring in a Bill for extending the time within which it was necessary for Benefit Societies to enrol themselves.

Mr. *Wilks* said, that he had not lost sight of the subject. On the 13th of March, he would move for leave to bring in a Bill, the object of which would be, to extend the period within which Benefit Societies might enrol themselves. In addition to this, he thought it would be advisable to appoint a Committee to inquire generally into the state of the law as regarded these Societies.

Mr. *Portman* hoped that no step would be taken which was calculated to alarm these useful Societies, as it might prevent persons from entering them.

Mr. *Lamb* expressed his pleasure at hearing that the hon. member for Boston intended to introduce the Bill of which he had given notice, and he hoped that it would pass without opposition.

Business of the House.] Sir *Richard Vyvyan* said, that the present discussion strongly exemplified the inconvenience of the present mode of transacting the business of the House. The hon. member for Wexford (Mr. Walker) presented a petition, which led to an irregular discussion relating to a contingent matter about a Surrogate in Ireland. In the midst of that discussion, the right hon. Gentleman gave notice of a motion on tithes; and then the hon. member for Shrewsbury asked a question about Benefit Societies. He thought, in order to avoid such irregularity, that some plan should be adopted with regard to the time of presenting petitions; and that some regulation should be entered into to prevent Members from speaking more than once upon petitions. He would suggest, either that the petitions should be received after the regular business of the evening was over; or else that all Members should put down their names on the list; and that the Speaker should commence each evening with the name of the hon. Member next to that with which he had terminated the petitions of the previous evening.

Lord *Althorp* said, that the new plan which had recently been adopted had not yet had a fair trial; and that it would be better to wait until they had had some experience of its effects. Should it not succeed, he thought the suggestions of the hon. Baronet might be well worthy of consideration.

Colonel *Davies* said, the manner in which discussions were got up on the presentation of petitions was a great abuse, and he thought the proposal of the hon. Baronet would only increase the evil. It was not to be endured, that the petitions of the people were to be presented after the regular business of the day was over, when five Members were present, and the House was exhausted. On the whole, he was of opinion, that some particular time, or even one day in the week, ought to be set apart for receiving petitions.

Mr. *Hunt* said, he was of the same opinion; he believed, that, unless they came to some better arrangement, few people would think it worth their while to transmit their petitions. He should write to his constituents, that no petitions might be sent to him unless some improvement was made, as he could not undertake to present them at one or two in the morning. The great evil was, the intolerable length to which Irish petitions were discussed.

Mr. *Littleton* recommended, that the names on the Speaker's list should be proceeded with until seven o'clock. The real cause of the evil was, in his opinion, the immense quantity of private business.

Sir *Robert Peel* said, that the fault lay with the hon. Gentlemen who made long speeches on petitions, instead of reserving the expression of their sentiments for motions. He thought it would be necessary for the House to interfere, to preclude Gentlemen from stating anything more than the object of the petitions they presented.

Mr. Alderman *Waithman* said, that there should be a Standing Order to make every Gentleman confine themselves to the matter contained in the petitions they presented.

Sir *Richard Vyvyan* proposed, that, for the purpose of hearing petitions, the business of the House should not commence until six o'clock.

Mr. *Robert Gordon* observed, that this regulation would be inexpedient. Until the Reform Bill was passed, it would be impossible to adopt the hon. Baronet's suggestion.

Lord *Althorp* said, he had no objection to adopt the hon. Baronet's suggestion, if the House would continue in Committee an hour longer.

Petition laid upon the Table.

REFORM—HELSTON PETITION.] Mr. *Croker* trusted the noble Lord would allow him, before he moved that the House resolve itself into a Committee on the Reform Bill, to present two Petitions which he had received from the borough of Helston, complaining of that borough having been placed in schedule B, in consequence of credit to the amount of 73*l.* 1*s.* 3*d.* not having been given in the amount of Assessed Taxes for the duty charged for horses in the First Cornwall Yeomanry cavalry, and praying for a new valuation, or that credit might be given for the sum he had stated. The first petition was from the Mayor, Aldermen, freemen, and inhabitants of Helston; and the other, from such inhabitants of Helston as were members of the Yeomanry corps. The former documents set forth that the inhabitants of the town were no way benefitted by the remission of the horse-duty on account of Yeomanry service, and, therefore, expressed their wish to pay the full rate of taxes, which, amounting to 951*l.*, would remove them from the operation of the disfranchising clause. The petition of the Yeomanry was signed by all the members of the corps in the town, when the information of the decision in the House arrived, with the exception of one, and it declared their affliction and surprise that they should have been the unconscious cause of so grievous a punishment as that inflicted on their fellow-citizens. The case appeared to him one of singular hardship and injustice. It seemed that the town contained a population of upwards of 4,000, and yet, because the accidental circumstance occurred of a few individuals having been exempted from the payment of the horse-duty, in consequence of their being engaged on the public service, that, therefore, the inhabitants of the borough were to suffer and be excluded from the Constitution. In December 1830—a period of great disquiet, the Yeomanry corps was called into active service for a short time, and, of course, they were exempted from the payment of the horse-tax for that year, and thus, because they rendered an important service to the public, they, as well as their townsmen, were to be punished. He thought the noble Lord must himself agree that this case of Helston was an extremely hard one, when he took all the circumstances of it into his consideration; on which account he cherished a hope that he should be able to induce the noble Lord, and the House, to reconsider this case, and if the circumstances of the borough were such as he stated—and he was prepared to prove them —that the result would be to remove it from the schedule. He had been informed that the Yeomanry corps of Helston had existed for thirty-four years. It was ordered to be disbanded in 1827, when the other Yeomanry corps were broken up; but the Captain of the troop residing in Helston wrote to his Majesty's Government in 1827, and begged that the troop might not be disbanded, and offered to maintain it in effective service without pay or allowance. So far, therefore, from the members of this corps being desirous to profit from their being members of it, and to continue members for the purpose of being exempt from the payment of the horse-tax, that they offered to keep up their corps without the public having to pay a shilling. Government accepted the offer, and this Yeomanry corps existed, from 1827 to 1830, without allowance of any sort being made to them. The House would recollect that, in consequence of the excitement which prevailed in the autumn of 1830, and the disturbances which broke out in several parts of the country, the Yeomanry corps were called into active service, and amongst others, this corps of the borough of Helston. The Reform Bill was brought forward in April, 1831; so that the Yeomanry corps being at an occasion of emergency called upon duty for three months, in consequence forfeited the franchise of themselves and their children. He submitted to the noble Lord, whether it was equitable to put such a construction as this upon the Act. The petitioners hoped they would be allowed to pay the duty, and trusted they would not be entrapped into disfranchisement. He was authorized also by these petitioners to state, that they had kept no horses with a view to exemption from the payment of the duty. They declared that all the members of their corps kept horses before the exemption, and that they all continued to keep them, now that the exemption had ceased. This was an extremely hard case, as, from their zeal in his Majesty's service, and with a view to be prepared to preserve the peace in times of excitement, these persons kept themselves embodied at a time when all other Yeomanry corps were disbanded.

Lord *Althorp* said, that, after the discussion which had taken place upon this subject a few nights since, he would not go again into the details when it was quite impossible that the matter could be discussed with a view to any result in favour of the petitioners at present. Of course, when the Report of the Committee was brought up, it would be competent for any hon. Gentleman to renew the discussion respecting the borough of Helston.

Mr. *John Campbell* said, that, if the facts stated in this petition respecting the borough of Helston were correct, it was an extremely hard case. If it was clear, that these persons did not keep horses because they were exempt from the payment of the duty, he thought they were treated harshly. The borough should be considered in the same situation as if the tax had been really paid to the Government, and repaid to the Yeomanry.

Mr. *Briscoe* was desirous to take that opportunity of calling the attention of the House to a paragraph which had appeared in a morning paper, respecting the division on the question, that Helston should stand part of schedule B. The paragraph was attached to lists of the majority and minority, and contained these words:—"The following Members voted against Ministers last night, on a suggestion of Sir Charles Burrell and Mr. Briscoe, the member for Surrey, that the omission of the tax on the Yeomanry cavalry, in the amount of assessed taxes, adopted in the calculation of the Commissioners for the borough of Helston was an imputation upon the Yeomanry of England." Now, he begged to state, that the hon. Member who had made this communication was incorrect in assigning the motive of his vote. He had voted in favour of the borough retaining its privileges, not from conceiving that an imputation had been cast upon the Yeomanry, but on the score of the injustice of disfranchisement under the circumstances of the case. He must complain of the practice of sending these communications to the newspapers, as being very inconvenient and unfair, and he must express a hope, that the individual who forwarded the lists would either discontinue the practice, or learn to be accurate. It was perfectly clear the communication must have been made by a Member, as there were no strangers in the House at the time, the Gallery having been previously cleared.

Sir *Richard Vyvyan* considered that the paragraph was calculated to convey the impression that Ministers had thrown an imputation upon the Yeomanry of the country, which he did not think had been the case. He had heard no reflection made by them upon the Yeomanry.

Lord *John Russell* said, that certainly nothing had fallen from him at all disrespectful to the Yeomanry corps as a body. He had certainly said, that persons occasionally joined such corps to get exemption from the horse-duty.

Mr. *Croker* said, the Yeomanry of Helston made no complaint on such grounds. They knew, if there was any foundation for the remark, it did not apply to them. In reference to the petitions with which he had been intrusted, he must say he had no connexion with the place, but he presumed they had been intrusted to him because he had taken an active part, on a former occasion, to prevent the disfranchisement of the borough. He must, however, regret, that they had been consigned to his charge, being an antagonist of the Bill. He could have wished that they had been placed in the hands of the noble Lord (the Chancellor of the Exchequer) himself, on whose candour and good sense he would have willingly confided for doing justice to the claims of the borough.

Lord *Valletort* said, that all the Yeomanry of England must think that an imputation had been cast upon them, and every man must consider the case of Helston an important one concerning them. For those reasons he would pray the Government to re-consider the question.

Mr. *Hunt* said, it might be supposed, from the nature of hon. Members' observations, that Helston was to be disfranchised because it had a corps of Yeomanry, when that question had nothing to do with it further than the abuses that were permitted in keeping horses without paying any tax for them. He it was, and not the noble Lord, or any other hon. Member, who had made use of the expressions that had given offence, but which were, notwithstanding, richly deserved. The yeomanry were, generally speaking, a most useless force, in which all sorts of abuses were practised; he had himself seen a troop of them at Frome driven out of town by a trumpery mob, but that was not to be wondered at, when the persons who acted as substitutes for those who received exemptions were taken into the account.

Mr. *Croker*, in moving that the petition should be printed, begged to remind the House that the petitioners offered to pay up the tax, and not to be exempted, if the House should be of opinion that the exemption ought not to be allowed. An hon. Member said, he must protest against the practice which some hon. Members pursued in sending divisions to the newspapers. If they would do so, at least, it behoved them to be correct. He had himself been subjected to a most virulent undeserved attack arising out of the practice, and he, therefore, called upon those who undertook to furnish those lists either, to discontinue the practice, or to take some means of obtaining accurate information of the names of Members who voted.

Petition to be printed.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—EIGHTEENTH DAY.] The Order of the Day was then read for the House resolving itself into a Committee of the whole House on the Reform of Parliament (England) Bill.

Lord *John Russell* said, that in rising to move that the Speaker do now leave the Chair, he felt it necessary to occupy the time of the House for five minutes upon a subject on which, he had already given notice of a Motion, though he had not thought proper to renew it, from a feeling that he could make the statement, which, he wished to make respecting the rate-payers in the metropolis on the present occasion. The right hon. Baronet opposite (Sir Robert Peel,) in the course of his speech the other night, had referred to a return relative to the number of rate-payers and houses in the metropolis, which, had astonished him (Lord John Russell) exceedingly at the time, and which, he could not help considering as founded in some inaccuracy; for he could not conceive how it could happen, that the number of voters should be so much greater than the number of houses in the metropolis, when the right of voting was confined to the occupiers of 10*l.* houses. He was, therefore, certain that the calculation of the right hon. Baronet must have been taken from some returns with which he (Lord J. Russell) was unacquainted. Upon inquiry he found that the calculation of the right hon. Baronet was founded partly upon the report of the Commissioners upon the boundaries of the metropolitan districts, and partly upon documents derived from other sources; and he trusted that he should be able to explain to the House how the right hon. Baronet came to his very extraordinary result, by referring to the sources from which the right hon. Baronet had derived it. The statement of the right hon. Baronet was, that there being in certain parishes of the metropolis a certain number of houses, the voters under the Reform Bill in those parishes would exceed the number of houses: for instance, the right hon. Baronet said, that in the parish of St. George and St. Giles, the number of houses was 4,450, and that, deducting from it the uninhabited houses, there remained only 4,025 occupied houses in the parish, while there were 4,280 voters, as might be seen by the return of actual rate-payers then on the Table of the House. Now the present number of houses in those parishes was not as yet in any authentic shape before the House. But he (Lord John Russell) found that the census of 1821 gave the total number of occupied houses in that parish at 4,456. If, therefore, instead of deducting the empty houses from the total number of houses above 10*l.* they deducted the empty houses from the total number of occupied houses, they would come to the right hon. Baronet's remainder of 4,025. But it was quite evident that that sum could not be made applicable to the number of voters created by this Bill. For there was one error committed in deducting the number of empty houses, not from the total number of houses, but, from the total number of occupied houses, and there was another committed in taking the total number of houses, occupied and empty, from the census of 1821. Without considering the vast increase which had taken place in the last ten years in the metropolis, if that was allowed for and taken into the account there was nothing strange in the circumstance that the number of voters now should exceed the number of houses which were then in existence. By the census of 1831, it appeared that the number of occupied houses in the same parish was 4,713, and of unoccupied houses 230, making a total, exclusive of those building, of 4,943, being an increase upon the census of 1821, upon which, the right hon. Baronet appeared to found his calculation of 487 houses. Again, in the parish of Paddington, the right hon. Baronet had said, that by the population return, the number of houses was 1,126, and that the number of rate-payers was 1,389. To this statement the answer was equally easy. By the census of 1821, the number of occupied houses was 1,139. From this number the right hon. Baronet had deducted the unoccupied, being thirteen, which left the number which he used namely, 1,126. But by the census of 1831, it appeared, that the number of occupied houses was 1,933, and of unoccupied houses 104, making a total, exclusive of ninety-three building, of 2,037. Again, in the parish of St. Pancras, the right hon. Baronet had said, that the number of inhabited houses was 8,425, and that the number of voters was 8,502. To this statement he must give the same answer as before. By the census of 1821, the number of occupied houses was 8,824. From these the right hon. Baronet deducted the unoccupied 400, which left the number which the right hon. Baronet used, 8,424. But, by the census of 1831, it appeared that the number of occupied houses was 12,369, and of unoccupied was 787, making a total, exclusive of those building, of 13,156. The Commissioners, however, proposed to exclude from the borough part of the parish north of the Regent's Canal, which was estimated to contain about 1,200 houses. This sum deducted from 13,156, would leave 11,956 houses, which was considerably larger than 8,502, the number of rate-payers. From these facts, it was evident the right hon. Baronet's mistake originated in his taking the census of 1821 instead of that of 1831. From the statement which he had now made to the House, hon. Gentlemen would perceive that the number of houses had increased so much during the last ten years, that no conclusion could be drawn as to the number of electors to be created by the Reform Bill from the returns of the number of houses in 1821. Indeed they might as well think of ascertaining the number of voters from the number of houses in those parishes in 1811 or in 1801; since which time the number had doubled and trebled, if it had not quadrupled. He thought, that he had now said sufficient to show that the calculation of the right hon. Baronet was radically founded in error. With regard to the precise number of voters to be created in the metropolitan districts, it was impossible to state anything accurately. He believed, that it would be best ascertained by reference to the returns to the House duties. Still it ought to be recollected, that among the rate-payers would be many who would have resided less than a-year, others who would be excused the rates, and others who had made default in paying them. He thought that when the number of these three classes of persons were added together, they would reduce the gross number of voters by one-third. He would not intrude further upon the House at present; but as the statement of the right hon. Baronet appeared to him to have made a great impression upon the House, he thought it right to make this counter-statement to remove that impression, by showing the error on which the calculations were founded.

Sir *Robert Peel* said, that he was obliged to the noble Lord for the courtesy with which he had endeavoured to set him right as to the error which he supposed him to have committed. He begged, however, that hon. Members would recollect, that the discussion which the noble Lord had just re-opened was not a discussion of his (Sir R. Peel's) seeking, but of the noble Lord's. He wished, that he could impress upon the House the same sense of the importance of this question which he felt himself, and thereby establish the necessity of giving further time for the consideration of the character of the new constituency which the Reform Bill would create in the metropolis. In the calculations which he had made, he had always referred to the latest documents on the Table, and the latest document which he could find relative to the number of houses was the census of 1821. The House must be aware, that the number of families was larger than the number of houses in the metropolis. In the Tower division, for instance, there were 47,176 houses, and 69,337 families; and in Christ Church, Spitalfields, 2,300 houses, and 4,752 families. As this Bill permitted two or more occupiers to vote for the same house, provided they each paid a 10*l.* rent, it was clear that as there was a large excess in the number of families above the number of houses, there might also be a large excess in the number of voters above the number of houses in each parish. He would exemplify his meaning, by referring to the parish of Mile-end Old town. He did not know what number of houses that parish contained by the census of 1831, but, by the census of 1821, it contained 4,284. According to the report of the Commissioners, how many voters were there in that parish? There were 3,017 occupiers of houses rated above 10*l.*; there were 119 occupiers rated above 10*l.* excused payment of taxes; there were fifty-two compounded for above 10*l.*, making a total of 3,188 occupiers above 10*l.* But, if the noble Lord would only take the trouble of looking at the last column, he would see that the number of houses rated under 10*l.*, but worth more, was 2,307; and observe, that by this Bill, it was the real value of the house, and not the rate, which established the right of voting. In this parish, then, of Mile-end, there were 2,307 houses rated under 10*l.*, but worth more; but, the occupiers of these houses would be entitled to vote, because their real value was above 10*l.* Add, then, to the 3,188 occupiers of houses rated above 10*l.* the 2,307 occupiers of houses worth 10*l.* a-year, and you would have 5,485 voters in that single parish, and yet, by the census of 1821, that parish did not contain more than 4,284 houses. By a statement in page 18 of the census it appeared, that the total number of houses in the parish of St. Pancras in 1831 was 13,673. But the House was not about to take the whole parish of St. Pancras into the Marylebone borough, for the northern part of it was more of a rural than a town character. The Commissioners had, therefore, recommended that the Regent's Canal should form the northern boundary of the borough in that direction, especially as there were no legal boundaries of which they could avail themselves, and the Canal formed a very eligible artificial one. The total number of houses in the whole parish, as he had before stated, was 13,673. How many were excluded by this artificial division he could not tell. There were, however, in the parish of St. Pancras, south of the Regent's Canal, 7,998 occupiers of houses rated above 10*l.*; 1,021 occupiers excused payment of taxes; 124 rated as landlords, and 465 houses compounded for. Besides these, there were 504 houses rated under 10*l.*, but worth more. Add these together, and you will find that you have 10,122 voters in this part of the parish alone. So far was the noble Lord from having removed the impression which these calculations had made upon his (Sir R. Peel's) mind, by the speech which he had just delivered, that it had actually increased the anxiety and apprehension with which he had previously contemplated the numerous constituency established by this Bill in the metropolitan districts. But, he begged to ask, did the House know what the right of voting would be in the metropolitan districts? The substance of the enactments of the Reform Bill, stripped of technicalities, was as follows:—In every borough, every male person occupying as owner or tenant, any house or shop, of the clear yearly value of not less than 10*l.*, shall be entitled to vote, if duly registered. But no person shall be registered in any future year, unless he shall have occupied the premises one year before the last day of July, nor unless he shall have been rated to the relief of the poor during his occupation; nor unless he shall have paid before the 20th of July, all the Poor-rates and assessed taxes which shall have become payable from him previously to the 6th of April. Joint occupiers may vote, if, where there are three occupiers, the yearly value of the House is 30*l.* Every occupier may claim to be rated whether the landlord be liable to be rated or not, and upon paying the amount then due of the rates, if any be due, his name shall be put upon the rate. If the landlord is liable to the rate, and if the tenant, after claiming to be rated, shall make default, the payment of the rate by the landlord shall still remain due. Here, he would pause, in order to call the attention of the House to the different manner in which the occupiers of 10*l.* houses were treated by this ,Bill and by the general law of the land. The general law of the land looked upon their solvency with a suspicious eye, for it held the landlords of all such tenements responsible for the rates and taxes accruing for them; and in the metropolis, the rates of such tenements were generally compounded for by their owners with the parish; and yet it was to persons placed thus pointedly under suspicion by the law, that this Bill was going to intrust the elective franchise. But, to proceed, The voter must occupy premises within the parish of the clear yearly value of not less than 10*l.*, and it was further provided, that the premises must be rated for the payment of the Poor's-rate during the period of his occupation. In this respect the 29th clause of the Bill was most material, from the provisions of which he supposed that whether the landlord of the premises be liable to be rated or not, the occupier might claim to be rated, and on the tender of the amount due up to the 6th of April, might have a claim and be entitled to vote. The clause did not say one word as to the rate which had been actually paid by either the tenant or the landlord. He called upon the noble Lord opposite to consult some of the local Acts, and compare their provisions with regard to the regulations and qualifications for the right to vote on parochial concerns, and for the election of vestries. He would refer the noble Lord in particular to the Act which regulated parochial elections in the parish of St. Giles, and compare in that Act the right of voting for parochial officers compared with the right provided by this Bill in voting on the choice of Members of Parliament. By the Act to which he had referred the House, no man in the parish of St. Giles was entitled to vote for vestrymen, who occupied any house, shop, or premises, and was rated at less than 25*l.* per annum, and none had a right to vote if the rates had been compounded. On the contrary, the House of Commons, in the present Bill, enacted, that they might compound for the rates either by themselves or their landlords, and be entitled to vote for a Member to serve in Parliament, on a qualification, not of 25*l.*, but of 10*l.* The Act which regulated the election of vestries in St. Giles's, and which probably was founded on accurate local knowledge, studiously excluded from the right of voting all persons whose solvency was at all doubtful. The right to vote in parish affairs was denied to those who paid their rents more frequently than quarterly, but, by the provisions of the present Bill, if the occupier was a weekly tenant, and if his landlord had compounded for the rates, he had only to tender the rates due on the 6th of April, and he would be entitled to vote for a Member to serve in Parliament. These facts were established by the report of the Commissioners, every line of which was important. The Commissioners in their report said, that the landlord of property below a certain value compounded with the parochial authorities for the several rates to which his property might be liable, the parish consenting to receive a sum considerably less than that which could otherwise legally be levied on the same property. It was thus manifest, that the amount of rate was a most uncertain means of ascertaining the number of votes. The Commissioners went on to state, that the composition so made might bear to the real value of the property compounded for, a proportion varying from one-half to four-fifths; so that it appeared a house might be compounded for at the rate of 5*l.*, and would still entitle the occupier to vote, being really of the value of 10*l.* When he saw that, by the provisions of this Bill many persons occupying the same premises might be entitled to vote, he could not feel surprised that the number of voters should exceed the number of houses. He could not think such a system would be advantageous to the districts of the great metropolis of the country, a system which established qualifications to vote for a Member to represent the inhabitants, which very qualifications had been rejected with scorn by the parishes themselves in regard to their parochial affairs. He was borne out in his statement by the report of the Commissioners appointed by the Government for the purposes of this Bill—a document which the more he considered the more was he convinced that it was proposed to commit an important trust into the hands of those in whom it could not safely be reposed; and he felt satisfied that, when the House of Commons was about to give to one constituency twenty Members, they ought to consider well the qualification of that constituency. That the noble Lord had convicted him of any misunderstanding or misrepresentation as to the nature of the constituency he begged most decidedly and firmly to deny.

Lord *Althorp* would not follow the right hon. Baronet through his statement, nor would he enter into the question relating to quality of the metropolitan constituency, but he would confine himself to saying, that he thought the right hon. Baronet was mistaken in the effect of the two clauses of the Bill the 27th and the 29th, to which he had referred. The two clauses he conceived to be explicit and distinct; the 27th enacting, that, in every borough returning Members to serve in Parliament, every occupier, as owner or tenant of any premises within such borough, of the clear yearly value of 10*l.*, should, if duly registered for twelve calendar months, be entitled to vote in the election of a Representative in Parliament, provided that he be rated for the relief of the poor. The 29th section was a provision for the right of the occupier allowing him to claim to pay the rates himself, notwithstanding that the landlord might be liable to the rates on the same property, or otherwise. On the effect and intention of these two clauses there could exist no doubt.

Sir *Edward Sugden* said, there could be no doubt that the provisions of this clause would greatly increase the right of voting, and extend it to a very disreputable class of persons. He concurred in the view of the question taken by his right hon. friend (Sir Robert Peel), and he felt strongly impressed with the opinion, that nobody could read the Report of the Metropolitan Commissioners without being struck with the observations it contained. It was manifest that twenty-two Members were given to the metropolitan districts (including the two members for Middlesex, whose election was mainly affected by the town constituency), and this number of Members was granted to a constituency created by this measure, occupying houses of the lowest description, possessing no weight of property or stake in the country. The House ought to hesitate before it put so great a power in such hands. He gave the noble Lord credit for not having willingly introduced that clause, which fixed the qualification of the householders so low; it was a clause altogether owing to the influence of the noble Lord's friends out of doors. His first intention, as the House perfectly well knew, was to limit the householders' qualification to persons paying their rents half-yearly; then, as he said, owing to the pressure of the influence out of doors, it was extended to persons paying quarterly, and now it was brought down to weekly tenants, giving them full permission to pay their rates at any period.

Mr. *C. W. Wynn* conceived that the 10*l.* qualification would be calculated to increase bribery and corruption at future elections, and he thought it was well worth the attention of the noble Lord opposite, to consider how far it was possible to introduce some measure for its prevention. He hoped the noble Lord would bring in a Bill for that purpose as soon as possible, as it would be advantageous that it should be brought forward during the discussions on the present Bill.

Lord *John Russell* thought, that the Bill now before the House was as likely to prevent bribery and corruption as any which had ever come before Parliament. It was, however, his intention to bring forward such a measure as that alluded to by his right hon. friend: indeed the Bill was at present under revision.

Mr. *Evelyn Denison* thought, the present Bill would overthrow the provisions under the Local Acts for the regulation of rates. He begged to ask the noble Lord if any alteration would be made in the amount of the qualification.

Lord *Althorp* said, that it was not the intention of the Government to make any alteration in the qualification clause, and he should not now discuss it. If his hon. friend had any wish to bring that question before the House again, the proper time for discussing it would be on the bringing up of the Report, or any subsequent stage of the Bill.

The House went into a Committee.

The Chairman put the question "that Finsbury, in the county of Middlesex, do stand part of schedule C," agreed to. Marylebone, (Middlesex,) Lambeth (Surrey), and Great and Little Bolton (Lancashire), were also ordered to stand part of schedule C, without a comment.

On the question, that Bradford (Yorkshire), stand part of schedule C,

Lord *Granville Somerset* said, he would not oppose certain towns receiving two Representatives; but he would ask the noble Lord, upon what ground this town was to have two Members, when there were several other places more deserving than either Bradford, Blackburn, or Oldham, of this distinction, which were to have but one Member each? Bradford had only 1,100 voters, and paid only 2,444*l.* to the assessed taxes; Blackburn had but 600 voters, and paid only 2,300*l.*; Oldham had 1,100 voters, and paid in assessed taxes 2,200*l.* If these were compared with some of the towns in schedule D, which were to receive only one Member each, the difference would be very much against them; for instance, there was Cheltenham, with 2,100 voters, and paying 20,000*l.* to the assessed taxes. It might be said, that Cheltenham was not a manufacturing town, and, therefore, had no need of two Members. There were two towns in schedule D, the importance of which, in a manufacturing and commercial point of view, could not be doubted. Tynemouth had 3,500 houses, 1,150 voters, and paid 2,800*l.* in assessed taxes. Huddersfield had 4,000 houses, 1,100 voters, and paid 3,900*l.* to the assessed taxes. It appeared, therefore, that Tynemouth paid upwards of 400*l.* more in assessed taxes than Bradford, and had a greater number of voters: that Huddersfield had as many voters, and paid 1,500*l.* in assessed taxes; and yet the two superior towns were to return only one Member each, while the two inferior towns were to return two each. The noble Lord might possibly say, that Huddersfield was placed in peculiar circumstances, from the property possessed by one individual in and about that town, that that individual would return two Members, if two were assigned to it. He acknowledged that was a good reason for not giving it two; but he apprehended the noble Lord would not acknowledge that to be his reason—no doubt some other reason would be stated—for giving Bradford this preference. He had stated every particular which could entitle a town to have Representatives, excepting population; and if he was told that population was the groundwork proceeded upon, in the scheme of giving Bradford two Members and Tynemouth one, he must admit that the superiority of population was with Bradford, for it had 2,000 inhabitants more than Tynemouth; but to take the principle that an extra population of 2,000 was alone to entitle a place to a second Member, was going a great way in favour of population. All he desired was, to see all the parts of Reform worked upon the same principle; and until the noble Lord stated why the three towns he had named were to have two Members, and Huddersfield and Tynemouth only one, he must think the distribution had arisen from caprice, and was not founded upon constitutional principle.

Lord *John Russell* said, that isolated comparisons like those taken by the noble Lord, gave no idea of the comparative value and importance of a town; but with reference to the number of 10*l.* houses, which, however, was only one of the tests of enfranchisement, Bradford had the superiority over Tynemouth and Huddersfield. With respect to the noble Lord's second observation on the propriety of taking the assessed taxes as the ground of Representation, that criterion would be found not to be available for that purpose. The amount of assessed taxes by itself would not form any criterion of the importance of great manufacturing towns—of those towns to which Representation ought to be given. Very wealthy, enterprising, and intelligent persons resided in those towns—but still they were not of that class who swelled the amount of assessed taxes. To prove the correctness of this principle, he would direct the attention of the noble Lord to two places. There was Birmingham, a place which it was allowed on all hands ought to be represented, but it paid only 28,350*l.* assessed taxes, whilst Brighton, against granting any Representative to which strong objections had been started, paid assessed taxes to the amount of 31,800*l.*, being a difference in favour of the latter place of upwards of 3,000*l.* The noble Lord would see from these data the inconsistency, if instead of Leeds, Manchester, and Birmingham, Ministers had selected Brighton and Cheltenham for double Representation. Besides, it could not be overlooked that population was generally the great test of the wealth and importance of manufacturing towns.

Lord *Granville Somerset* said, if the noble Lord rested on the principle of population principally, with regard to the manufacturing towns, there was no reason why Tynemouth and Huddersfield should not be placed on a footing with Bradford.

Mr. *Scott* wished to know, if population was to be the basis of Representation, why Ministers had not taken into consideration Aberdeen with a population of

58,000, Dundee 42,000, and Paisley 37,000? Surely the noble Lord, after the principle he had just laid down, could not refuse the claim of those places

Lord *John Russell* answered, that the rule was not founded on the strict principle of population alone, other circumstances were necessarily taken into consideration; if they were guided by population alone, they must have given another Member to Salford. As to the remark made by the hon. Member relating to the large towns of Scotland, he should be prepared to give an answer to that when the Scotch Reform Bill was under consideration.

Sir *George Clerk* agreed with the noble Lord, that when the Scotch Bill was before the House, these matters must be discussed. But if they now filled up all the vacancies that had been made by the disfranchising clauses, what chance would there be hereafter to urge the claims of Scotland with effect? If the noble Lord would promise that this filling up should not deprive Scotland of her claims, provided those claims were fairly made out, he was content to proceed forthwith with the schedules. But if they were to understand that the present number, 658, of that House was to be inviolable, then it became necessarv for those who thought Scotland's share of Representation too small, to endeavour to make out the right of that country to additional Representation. The noble Lord said, that population was not the sole criterion of enfranchisement. But he was ready to meet him on those terms, and say, whether they looked to the population of Scotland, or its contribution to the revenue of the empire, an equally just claim could be made out for a considerable increase of Representation. Nor could it be said, that to give further Representation to that country would be disturbing the relative proportions of the three divisions of the empire; for the principle of those who supported the Reform Bill was, that the small close boroughs, instead of an advantage, had been a disadvantage to the people of England. When, therefore, those 140 Members were taken away, it was quite clear, upon that argument, that the people would be more fully represented than they were before, even though those 140 franchises were not distributed among populous places. The House ought therefore, before the 140 Members were disposed of, to take into consideration the various parts of the empire. It might seem an awkward situation for those who had always opposed this Bill, now to demand Representation for any district or place on the score of taxation or population, especially when they ran the risk of being taunted by the right hon. Secretary for Ireland, with being more violent Reformers than Ministers themselves, and after they had heard even the hon. member for Kirkcudbright, who had been a steady supporter of the Bill, accused of ingratitude, and of not being sufficiently thankful to Ministers for the favours they had vouchsafed to his country. But what he meant to assert was, that the principle on which the Bill was said to be founded, had been totally disregarded in working out the details. They were required to assume that the principle was correct, and see whether Scotland had a better claim than Ireland for an addition to the number of its Representatives, on the ground of the Union with Scotland having been settled 120 years ago, there was more probability of a change having since taken place in the relative position of that country, than in Ireland since the period of the Union with the latter; that was probably the best and simplest point of view to look at the case, and what would be the result? According to the disfranchising clauses, as he had already observed, there were 140 seats to be disposed of. Scotland had a fair claim to a larger share of those 140 than the Government had allotted it. By the last census, the population of Scotland amounted to 2,300,000, which was one-sixth of the whole population of England and Wales—and the taxation of Scotland was about one-eighth of England and Wales; so that, upon this shewing, Scotland was entitled to one-seventh of these 140 Members—or, in other words, to twenty of the 140. But Government only proposed to give eight, raising the number of Scotch Members from forty-five to fifty-three; when, in fact, that country was entitled to sixty-five, or (taking the proportion at only one-eighth) to at least sixty-two Members. In this case the number of English Members would be only 488, or 490, instead of 500; so that Members, who thought other parts of the kingdom had claims, were bound to take care that they did not vote away the whole 500, in which case the claim of Scotland could not be supported, so long as the rule was established that the gross number of 658 was not to be infringed. But if the Government insisted that England should retain its 500 Members, and would agree that Scotland should be dealt with in the same proportion, he would not object to such an arrangement. All that he insisted on was, that justice ought to be done to Scotland and Ireland. Under these circumstances he trusted, that a statement would be made to the Committee as to what were the intentions of Government on that point, in order that hon. Gentlemen might thoroughly understand on what grounds they were to proceed.

Colonel *Conolly* rose to make the same claim for Ireland which the right hon. Baronet had just made for Scotland. In the first place, he must protest against the sentiments of the hon. member for Louth, as stated in the House on the night of the debate on the metropolitan districts, being received as the general sentiments of the Irish Members. He himself had wished to have stated his feelings on that question, but circumstances had prevented him. He would, however, even now say this much —that he differed altogether from the principle on which the Government had acted; but since it had been determined that the Ministerial principle was to be adopted, at least let them take care that it was fairly and impartially administered, and that an equal meed of justice be dealt out to all: indeed, he was sure (whatever discrepancy of feeling there might be) that all the Irish and Scotch Members would join in claiming for those two portions of the empire those rights which were so palpably denied. They ought to make common cause for the purpose of asserting the rights of their respective countries. This should be an "imperial measure" doing justice to all sides, and not proceeding on a principle of partiality, as had been done with regard to the metropolis, on which twenty-two Members had been wantonly squandered.

Mr. *Cutlar Fergusson* denied that the Members which had been given to the metropolitan districts had been squandered away; for, in his opinion, the whole principle of the Bill would have been lost, if the noble Marquis's Motion had succeeded. It was upon the very principle which gave these Members to the metropolis that he supported the claims of Scotland for more Members, and it was with these feelings that he thought that this discussion was not altogether irrelevant, and that he hoped the House would view it with indulgence. If Ministers declared it to be their intention to adhere to the proposed distribution of 658 Members, it would, from that moment, become the duty of the Scotch and Irish Members to make their stand, in order to prevent Representation from being given to places that did not deserve it, while it was refused to others where it was most needed. Ministers themselves admitted that they had continued Representation to places that did not deserve to be represented. Why might not that Representation be extended to great and populous places in Scotland or Ireland? The Government, be it observed, was now in this predicament, that a part of the Representation was to be preserved which, by the former Bill, was declared to be useless. Four of those boroughs which were in the original schedule A, had now found their way to schedule B; by which means, it might be said, that four Members were actually taken away from Scotland and from Ireland; and four boroughs were taken out of schedule B, altogether; so that there were eight Members (all that Scotland required), to say the least of it, thrown away. According to the Returns, it appeared that in four boroughs that were to return eight Members there was but 13,000 souls; and after this, he thought he might fairly ask, why Representation was refused to those parts of the empire where wealth, intelligence, and population were now so great, and were so largely on the increase? If there was any hon. Gentleman in that House who would get up in his place, and say, that he thought that Scotland was adequately represented, he (Mr. Cutlar Fergusson) would be content to give up the whole question. But no one had ventured to deny that the population of Scotland was as one to five and a-half, compared with that of England, and her contribution in assessed taxes was as one to eight; consequently her Representation ought to be one-seventh at least of that of England. But that was not asked for Scotland; all that was demanded was, that an additional Member should be granted to each of her counties which contained a population of above 100,000. In a plan of general Reform, where they were removing some old Representations, and creating new, he contended that no distinction ought to be made, either with respect to England, Scotland, or Ireland. To each justice ought to be done, and he would never cease to declare that, under the Bill as it at present stood, justice would not be administered to Scotland.

Mr. *Hume* did not wish to prolong this discussion; but when he heard inconsistent and incorrect allegations made, he could not avoid saying a few words. He was very glad to find that converts were coming over to his opinion. He thought that the fairest course of proceeding would be to divide the country into "electoral districts," and if such a proposition were made, he hoped that he should have his hon. friend (Mr. C. Fergusson) with him. They were told that Scotland was not sufficiently represented, and that the metropolis had too many Representatives. Now the population of Scotland was 2,300,000, and it was proposed to give her fifty-three Members; and the metropolis, which contained a population of 1,500,000, was to have sixteen Members. Was it not evident, then, that Scotland was more fully and numerously represented than the metropolis? Look to the amount of population, taxation, and property, according to Lieutenant Drummond's returns, and it would be found that the district of the Tower Hamlets was able to buy fifty, nay 100 of the boroughs, about which, night after night, there had been so much useless debate. It was monstrous to have the time of the House taken up in going through a discussion as to whether a troop of Yeomanry ought or ought not to be rated to Helston, or whether the few paltry pounds being the different amount of taxation paid by that troop ought to be taken into consideration. Such things were a disgraceful waste of the time of the House, when they had so many more important concerns to attend to. The Bill did not, he confessed, entirely please him; but he would support it rather than go on as they had done. He must say, that the whole Bill was an anomaly. Ay, but was the Representation of the people never an anomaly before? Certainly the Bill was an anomaly, but they might, perhaps, make it a little better. In his opinion, if Ministers had had reasonable men to deal with, they would have produced a much better measure, but they had had a most difficult game to play, and those who supported Reform generally, should make great allowances on that account. This much he would say for them, that they had proposed as much as they would be able to carry; and for himself, he frankly avowed that he would take more if he could get it; but that, not being able to get it, he saw no reason for refusing that which was offered, and which constituted a part of the whole. At the same time, he was ready to admit that Scotland ought to be better represented, considering what had been done for Wales; but still he could not help bearing in mind that the object of Ministers was to make the best bargain they could; they seemed to him to have acted up to that object; and he was, therefore, prepared to be content with half a loaf, for the very reason—that he would have been more content if he could have got the whole one.

Sir *Charles Wetherell* said, he must accuse the hon. member for Middlesex of having turned his back on the Scotch borough that he had formerly represented, when he had condemned borough Representation by wholesale. He seemed, also, to have given up all sympathy with Scotch feeling, when he contrasted the number of the Representatives from the metropolis with those of Scotland, but with regard to the discussion which had been entered into, he could not see why, if the Representation of London was to be increased, the Representation of Dublin and Edinburgh, was not also to be enlarged. The hon. member for Donegal had, in his opinion, well stated, that if the old Constitution was to be broken up, the new system ought to be an imperial measure, dealing out equal justice to all. But the noble Lord, the other night, had abstained from telling the Committee his reason for declining to give additional Members to those two cities, though he had been courted to it. His opinion was, that if they looked to the compact of the two Unions, the principle of that bargain was a religious principle, which ought to be inviolably preserved: under which circumstances, no increase of the number of Scotch and Irish Members ought to be permitted. But when those who introduced a change laid down a new principle, what he wanted was to have that principle clearly worked out. This had not been done with regard to the sister countries, and, therefore, the Scotch and Irish Members had good ground for complaint that justice had not been impartially dealt out to them.

Mr. Alderman *Waithman* said, that the hon. and learned Gentleman had deviated altogether from the question immediately before the House, which had nothing to do with Scotland or Ireland. It would be impossible to carry the Reform Bill, if it had omitted to give Members to the great, populous, and wealthy districts, of the metropolis of the empire. Did hon. Members remember that London and its suburbs contained a population of a million and a-half, that it paid 600,000*l.* in assessed taxes, and when the property tax existed, it was rated at 5,500,000*l.* One fact would suffice to demonstrate the justice of its claims to additional Representatives, and that fact was this—that the greatest number of voters that had ever polled at any general election for all the boroughs in schedules A and B did not amount to the number that had polled at the last contested election for the City of London.

Mr. *Cumming Bruce* said, the hon. and worthy Alderman who had just sat down had lectured the House for not adhering to the question, and then had confined himself to enforcing the claims of the metropolitan districts to an increased Representation, which had nothing whatever to do with the matter now in debate; however, he should not be deterred by what had fallen from the worthy Alderman, from urging the claims of his country to increased Representation, since this discussion had been originated, as probably this was the last occasion when there was a hope of being heard to any purpose on her behalf. He perfectly agreed with his right hon. friend, the member for Perthshire, that now, during the discussion of the English Bill, was the only chance they had of being heard in her defence, and he spoke from experience; for he well remembered that he had the mortifying duty to perform of resisting the second reading of the Reform Bill for Scotland last Session to empty benches, and the gratification usually reserved for Members on this side of the House, of seeing the truths they had demonstrated overborne by the rush of a Ministerial majority who had not been present to hear one word of the discussion, but who were prepared to vote that black was white, or any other such self-evident proposition, rather than risk the stability of his Majesty's Government, by putting in jeopardy the success of the Bill, the whole Bill, or anything but the Bill, on which, not without reason, they conceived the existence of the Ministry depended. But before he proceeded to urge the claims of his country, he must refer to what had fallen from the worthy Alderman, and from the hon. member for Middlesex, on the subject of the metropolitan districts. He perfectly agreed with both those hon. Members that, looking to the principles of this Bill, those districts were entitled even to a greater number of Representatives than had been assigned to them, unless there were circumstances which rendered it expedient and wise to withdraw them from the operation of those principles. But it seemed to him that those circumstances did exist, and he would endeavour shortly to state them, as the reasons which had induced him to give the vote he had given, when that matter was before the House. Nothing which he had since heard—no consideration which he had been enabled to give to the subject, had in any degree reconciled him to its adoption. He could not forget the unconstitutional dictation once assumed by the constituency of the metropolis over one at least of its Members, and the ready acquiescence with which that dictation was submitted to; and as such dictation appeared to him hostile to the very essence of the faculty of free deliberation, he could not consent to exposing an increased number of the Members of that House to its influence. That, generally speaking, the wishes of their constituents should influence the conduct of Members in this House, he readily admitted; but so long as they continued to sit as the Representatives, and not as the delegates, of the people, it did appear to him that the account which at intervals might be called for, and must be rendered, to popular constituencies at the hustings, was amply sufficient for every purpose of beneficial control. Yet such was the fascination of popularity on the one hand, and such the charm of the direct exercise of power on the other, that they would show themselves very ignorant of human nature, if they could suppose that, where the facilities of direct and immediate superintendence were so great, the Representatives on the one hand, or the constituents on the other, should be able to refer to a period more distant than the morrow, either the claim to approbation, or the right to censure. In seasons of excitement, when it was most important that this House should exercise a calm deliberation, it were vain to expect such philosophy under circumstances of constant, and daily, and hourly contact, as must exist between the Members for the metropolis and their constituents. Under the present arrangements, the words "we are seven," were said to have operated with something of an overbearing influence on the Minister of the Crown. What, then, must be expected from the much more potent insinuation, "we are twenty," strengthened, as it would be, by the power of immediate communication, and of watching, at the beginning or at the end of a Session, the opportunities of thin benches and diminished attendance? Under such circumstances, the Mayor of London would soon become the Mayor of the Palace, and the City Treasurer would assume the functions of Chancellor of the Exchequer. All these reasons should prevent the House from giving to this metropolis such an enormous increase of Representation as was proposed by the Bill, and the more so, as large and important portions of the empire had loudly and justly complained of not being properly provided with Representatives. The claims of his country had been so fully and ably advocated by his hon. friends, that he would not detain the Committee by repeating their arguments, but nothing should deter him from urging the claims of Scotland, as long as there was a chance of doing any good. When the numbers of that House were to be diminished, Scotland had, perhaps, less ground of dissatisfaction; but now that Government had adopted the spirit, and determined to act up to the letter of General Gascoyne's Amendment, the case was totally altered. Before disposing of the stock of Members which was thus placed at their disposal, they were bound, on every principle, whether of population or taxation, of their own measure, to provide for the just claims of Scotland; not only the great counties, but some of the more important towns were, in common fairness, entitled to such consideration. He would instance one of the towns which he had the honour to represent—Inverness, which, on every account, and especially as being the only town in an immensely extended district, comprising, at least, five different counties, was as much entitled to the distinction of sending a separate Member to this House as any, after Glasgow and Aberdeen, in Scotland. But the case of injustice done to Scotland did not rest even here; it was unjust to refuse that country, under this entire new modelling of the Constitution, her fair share of Representatives even where they were not before enjoyed; it was doubly unjust to deprive some of the more populous counties of that right to a separate Representation which they always had and did actually enjoy. This was the case, in particular, with the counties of Elgin and Ross. The first contained a population of 34,000 souls, the other of 54,000; it was not pretended they had done anything to forfeit their rights; or that they were incapable of furnishing an adequate constituency under any modification of the elective franchise; but they were to be deprived of their rights simply because Ministers thought fit to squander away Members on schedules C and D, after which they said they had no more to bestow. Could Ministers imagine Scotland would rest satisfied with such injustice as this. The claims of the larger counties to additional Representation were strong, but the claims of the counties he had mentioned to retain that which they at present possessed were still stronger. Ministers, therefore, before forcing through the schedules now under consideration, ought to give some pledge that these claims should be considered; they must not suppose that the people of these counties were satisfied with this arrangement, for they had already petitioned against it. They would do so again if they believed that any petition, not having for its object to support every proposal of the Government, would be of any avail in this House. He had heard but one statement having the shadow of an argument, advanced by the few Scotchmen who were willing to sacrifice the just claims of their common country on the shrine of Ministerial favour. It was this—Scotland had, in fact, at present, no Representation. The proposed Reform would give her fifty-three Representatives: she had then, every reason to be satisfied with this immense boon. He would admit the statement for the sake of argument, though he was far from admitting it in fact, because it was notorious that, under the existing system, the landed interest was, to a very great extent, represented. But granting for a moment that such was the fact, would it be any answer to the county of Lincoln, for example—provided, in compliment to the gallant Colonel, the member for Lincoln, his Majesty's Government had thought fit not to increase the number of its Representatives, while those of the other great and middlesized counties of England and Wales were increased—would it be any answer to the county of Lincoln to say, "Hold your tongue; murmur not at the good fortune of your neighbours, the 10*l.* clause will confer a right of voting on a great mass of your population who did not hitherto enjoy it—you have gained a great deal and so keep yourselves quiet?" Would the people of Lincolnshire be satisfied with such an answer? And yet this was precisely the answer given by hon. Gentlemen opposite to the people of Scotland: they all maintained that Scotchmen should be satisfied with an answer which Englishmen would indignantly throw in the teeth of those who made it. He trusted they would reconsider their opinions. If Government really desired this measure should be final, they would remedy this injustice. They could not suppose, that having conferred a right of voting, and excited a passion for the exercise of that right, the population of Scotland would be satisfied without such a share in that right as they had themselves taught them to consider the fair and just proportion. The Italian proverb said, "*l'appetito vien mangiando,*"—if true in a physical, it was doubly true in a political sense; and if these vast changes were to be introduced, they ought, at least, to have them in such a way, that discontent might not be added to the uncertainties and dangers of untried innovations.

Sir *George Murray* observed, that he should not say a word about the metropolitan districts, as that matter had been already sufficiently discussed. He begged to say, that he agreed entirely with the hon. member for Kirkcudbright, in thinking that if his Majesty's Ministers intended to persist in their determination of keeping the numbers of the House exactly as they were at present, now was the time for the members from Scotland and Ireland to urge the claims of their respective countries to a larger proportion of Members, and that if they did not do so, they would neglect their duty towards those whom they represented. They had heard tonight from the hon. member for Middlesex, who was not a light authority on the subject, for though not precisely the author of the Bill, he was one of its most strenuous supporters, as indeed they had heard before on a former occasion from the noble Lord, the Chancellor of the Exchequer, that this would not be a final measure.

Lord *Althorp:* When did I say so?

Sir *George Murray* could not recollect, at that moment, the exact date of the debate, but had it distinctly in his recollection having heard the noble Lord say, that this was as far as his Majesty's Ministers then deemed it expedient to go. The expression made a strong impression both upon the House and upon him (Sir George Murray) at the time; and he was perfectly convinced that it would turn out to be the case. The measure was obviously too strong for Ministers; they could not restrain it, and it would inevitably go far beyond the limits within which they wished to confine it. He quite concurred with the hon. member for Middlesex, in the opinion, that this measure of Reform was but a stepping-stone to other measures of that description, which he had not the least doubt would follow in succession after it had been passed; indeed the hon. Member had hinted that seats had been given for the purpose of obtaining support for the measure, and not with any reference to the just claims of places. If such an opinion prevailed in a Reform Parliament, as it was most likely to do, it must be evident there must be further and immediate changes. He declared, and was prepared to prove, that the principle of enfranchisement upon which this Bill proceeded, as regarded England, was that of population, but that the noble Lord opposite, when more Members were asked for Scotland and Ireland on the same grounds, most inconsistently resisted the application, and asserted that it was not on account of population, that additional Members were given. He (Sir George Murray) would maintain, that the same principle should be exactly applied to England, Ireland, and Scotland, and that no unfair distinction of this description should be made, therefore, he should be glad to hear on what ground the noble Lord made Ireland and Scotland an exception to the principle of the English Bill. The Bill, as it was now framed, must leave the seeds of discontent both in Ireland and Scotland. He was much afraid that in Scotland discontent would extend very considerably. Considering that this stage of the Bill was the proper time to make a claim for Scotland, he must, as one of the Members for that country, contend for the propriety of now urging those claims.

Lord *Althorp* said, that he was not going to give any opinion respecting the Scotch Representation, but only to express his surprise that the right hon. and gallant Member should have stated that he had declared this was not a final measure, when the right hon. Member must know, that he could not have made such a statement. In the hurry of the debate he might have said, "under present circumstances." [Cries of "You said for the present."] He now remembered that he said "at present." He did not believe that there was a single Gentleman in the House that could think he meant to say it would not be a final measure. The right hon. Gentleman said that he did not mean to say he entertained such an idea, and he complained of imputing to him such words.

Sir *George Murray* undoubtedly did not mean to impute to the noble Lord any such idea or intention, but the noble Lord entertained some peculiar opinions on the question of Reform, such as in favour of the vote by ballot, though he acquitted him of any wish to introduce his own private opinions into this measure. At the same time, the noble Lord had expressed himself to the effect, that "at present he could not go further."

Admiral *Adam* said, he must take that opportunity to declare that Scotland was perfectly satisfied with the amount of Representation allotted to her by the present Bill; he had had an opportunity of ascertaining the sentiments of a large number of persons, and, he could assert that their feelings were in unison with the supporters of the measure.

Colonel *Lindsay* was surprised at the observations of the hon. and gallant Admiral, when he asserted that Scotland was in general satisfied with the additional number of eight Representatives to be allotted to her; he, on the contrary, must declare that the feelings of the persons with whom he had come in contact were quite the reverse; they considered that the principles of the Bill as they applied to England ought to be extended to Scotland, and that all the elements of Representation which that country contained, ought to be taken fully into the account, in which case her claims would extend to sixteen additional Members instead of eight. With this glaring absurdity in the face of the Bill, to assert that it would be final was absurd, for its foundations were not bottomed in justice.

Sir *Ronald Ferguson* observed, that those persons who now declaimed against the small number of Members allotted for Scotland under the provisions of the Bill, were the very persons who had said that country was properly represented under the present system, and that it had grown up to its present flourishing state under its existing state of Representation. The country would know how to appreciate these objections, the intention of which was to prevent the English Bill from being carried forward rapidly, and to afford an opportunity of making long desultory speeches.

Mr. *Kearsley* said, that the noble Lord had declared that he was incapable of making such an observation as had been imputed to him by the right hon. Gentleman, the member for Perthshire; but he (Mr. Kearsley) conceived that the Gentlemen opposite were capable of making any assertion. One said one thing, and one said another. They were ready to bolt the whole Bill, and to vote black was white. They were dealers in jobs, and ready to take any parliamentary course that was pointed out to them.

Admiral *Adam* declared, that his only motive for supporting Ministers was their conduct in bringing forward this Bill, which he thought a great benefit.

Mr. *Croker* said, that the hon. Admiral seemed to be content to vote for a Bill which he could not have read. He would state the way in which the debate on Bradford had arisen. Bradford had now two Representatives; in the former Bill it had but one. Some Gentlemen thought, that according to the scale of Representation originally adopted, it should have but one, and that if the present opportunity passed, and the House sanctioned the removal of Bradford and other places from schedule B to schedule C, they would be completely blocked out, and would not be able to add a single Member to Scotland or Ireland. This question was not raised unadvisedly, nor improperly; for there would be no other opportunity for such Gentlemen to express their sentiments: this was the only time in which it was open to them to enter on this discussion with reference to the interests of Ireland and Scotland. It was impossible that the rule of the noble Lord could be satisfactory to the country.

Blackburn, with a population of 27,000 with 4,800 houses, 600 10*l.* houses, and 2,300*l.* assessed taxes, was to have two Members; whilst Salford, which this Bill considered a totally distinct place from Manchester, with 50,000 inhabitants, 9,500 houses, 1,300 10*l.* houses, and 9,000*l.* assessed taxes, was to have but one Member. Blackburn, Bradford, Macclesfield, and Oldham, with 123,000 inhabitants, 3,900 10*l.* houses, and 9,244*l.* assessed taxes, were to have eight Members, whilst Cheltenham, Salford, Rochdale, and Tynemouth, with 118,000 people, 5,550 10*l.* houses, and 35,900*l.* assessed taxes, were to have but four. It was impossible that anomalies like these in the Bill could be satisfactory to the country. The principle ought to be clear and intelligible, and it was impossible for the noble Lord to show that there was a principle of any kind. In the former Bill there was a principle, but now they were all at sea, and towns of 19,000 souls were placed on an equality with towns of 180,000 souls. If the noble Lord believed that Liverpool would be content with the same number of Members as were given to Bradford, he would be deceived.

Sir *John Johnstone* was satisfied with the number of Members given to Scotland, and the people of Scotland were grateful to the Ministers for the Bill. There might be some minor points in the Scotch Bill which ought to be amended in the Committee, but in general the people were satisfied with it.

An *Hon. Member* said, that the Scotch Members took a curious way to show their satisfaction, by continually contending against the Bill.

Lord *John Russell* said, that as the members for Scotland who had now laid claim to additional Representatives for that country, had been satisfied hitherto with the existing system, and thought forty-five Members, with three thousand constituents, and paper superiorities, were the perfection of Representation, it was scarcely consistent for them to raise an objection to the additional number of eight now given. If Scottish Members chose to take up the question of Scotland and not that of Bradford, he had no objection; but he did object to their doing so without some notice, and wearing out the night with unprofitable discussion. The right hon. Gentleman, (Mr. Croker) had taken a peculiar mode of getting at his result, by combining various places which were under peculiar circumstances. Salford was desirous of being considered a separate borough, and from its proximity to Manchester it was not considered expedient to give it more than one Member. He had before said that population was not the sole principle of the measure.

Sir *George Clerk* disclaimed any wish to create a delay by now discussing the question of the Scotch Bill, the question had not been raised for the purpose of unnecessary debate. It was thought convenient, when the question of the whole number of Members of which the House was to consist was to be decided, that the number of Scotch and Irish Members should be considered at the same time. There was no part of the empire which needed so many additional Representatives as Scotland, but the course pursued by the Government with repect to the total number of Representatives which they resolved to limit to 658, alloting different portions to each part of the empire, and, while as he and others thought the number given to Scotland was inadequate to her claims, had rendered it necessary for the Members of Scotland and Ireland—which country was also similarly circumstanced—to raise a question on the right of every borough to which it was proposed to give Representatives, and to inquire how far each separate place might be entitled to enfranchisement, as compared with the counties and towns of their respective countries, which were not to have an increase. It was on these grounds that they proceeded, and not to create delay.

Mr. *Scott* fully agreed with the hon. Baronet that justice had not been done to Scotland by this Bill, and he was surprised to hear any Members for that country express themselves satisfied with so small a proportion of additional Members.

Mr. *Sheil* could not understand why the advocates for additional Representatives to Scotland should take a position in Bradford. In his opinion, the proper time for putting forward their pretensions would have been when he (Mr. Sheil) moved that Petersfield and four other boroughs should be placed in schedule B. That, in his opinion, would have been the time for an exhibition of Caledonian patriotism much more gratifying than the present. It should have been exhibited when schedules A and B were under discussion. In the last Reform Bill, the number of boroughs in schedule B was forty-one; in the present only thirty; and those Gentlemen who called themselves the friends of Scotland and Ireland would have taken a better opportunity of showing their regard to those countries, if, instead of attempting to deprive the large town of Bradford of Representation, they had moved that eleven insignificant boroughs, which had been omitted, should be again inserted in the present schedule B.

Colonel *Peel* differed from the hon. and learned Gentleman. He thought that the present was the fittest opportunity which had yet been afforded for discussing the claims of Scotland. He was a Representative of one of the eleven boroughs which were excluded from schedule B of the present Bill, and he begged to remind the hon. and learned Gentleman who talked so much of the five boroughs, that there was a material difference between disfranchising a county town, and enfranchising, for the first time, a place such as Bradford, merely because it had a certain amount of population.

Sir *George Clerk* thought that the Scotch Members, when it became necessary for them to put forth their patriotism, would do well to follow a more consistent leader than the hon. and learned member for Louth. The learned Gentleman had alluded to the debate on the five boroughs as the fitting time for putting forward the claims of Scotland. What had the learned Gentlemen done on that occasion? After a very able and eloquent speech, so eloquent that it half converted the noble Lord, the Chancellor of the Exchequer, to his views, the learned Gentleman at last withdrew his motion, "because," as he said, "it might embarrass the Government!" So, if the Scotch Members were to rely on the support of the learned Gentleman in their efforts to procure Representatives for some of the rich and flourishing towns and counties of Scotland, instead of giving them to the small towns of England, the learned Gentleman would probably abandon them, lest he should embarrass the Government.

Mr. *Sheil* admitted, that he had, perhaps, been inconsistent on one peculiar point, but he had been so because he wished to preserve his consistency with respect to the permanent question of Reform. The right hon. Gentleman should recollect, too, that the Gentlemen on his (Sir George Clerk's) side of the House, when the question was under consideration, gave pretty sufficient indications that they preferred their party to their country.

Mr. *Hunt* declared his opinion that the present Reform Bill would not be a final measure: there was a large and increasing body of persons in the country who were notoriously dissatisfied with its provisions which they did not consider extensive enough.

The question carried, that Bradford, Yorkshire, stand part of schedule C.

Blackburn, Lancashire; Brighton, Sussex; Halifax, Yorkshire; Macclesfield, Cheshire; Oldham, Lancashire; Stockport, Cheshire; Stoke-upon-Trent, Staffordshire; Stroud, Gloucestershire; were also severally placed in the same schedule.

Lord *John Russell* proposed, that the Committee should now return to the postponed case of the borough of Dartmouth. He, therefore, moved, that that borough stand part of schedule B.

Sir *Henry Willoughby* asked the noble Lord, whether the Government were satisfied with respect to the accuracy of the Returns in the case of Dartmouth, and whether they had made any new calculation with respect to that borough.

Lord *John Russell* said, the only doubtful point in the case of Dartmouth arose out of the Returns of the assessed taxes. It was found, however, that the difference arose out of a fraudulent collection made in 1829, when a sum of between two and three hundred pounds was raised by the collector over and above the Returns made to the Tax Office. A fraud had undoubtedly been committed by the collector upon the inhabitants, but the importance of the borough had been calculated from the assessment which it was legally bound to pay. If it could be proved that the assessment on which the calculation was made was not the proper assessment, there would then undoubtedly exist some ground for removing the borough from the place it now occupied; but, as the case stood, Ministers could not, though Dartmouth might appear to suffer some hardship, break through the general rule laid down for all boroughs, which they had hitherto endeavoured most impartially to apply.

Sir *Henry Willoughby* said, he must maintain that Dartmouth ought to be taken out of schedule B. There were evident mistakes in the papers on the Table respecting this borough. By Lieutenant Drummond's Return, the number of houses was stated to be 632; the returning officer made them amount to 634, and the borough had been accordingly placed in schedule B. But if the calculation had been made on the actual number of houses, which was 767, the borough would have escaped altogether from disfranchisement. He contended that, upon the principle of the Bill, Dartmouth ought to be allowed to retain its Members. He had taken some trouble to ascertain the number of 10*l.* houses, and he found that it was 411. With respect to the case of the assessed taxes, and the fraud committed by the collector, the noble Lord had completely misunderstood the real state of the case which was as follows:—The collector had tendered fraudulent returns to the Commissioners in 1829 and 1831. The subject accordingly came under their consideration, and they declared they had discovered 103 cases of false charges made, and they had no doubt more would be found out. The inspector appointed to investigate the matter had reported that a system of fraud had been practised for a long time by the collector. By this system the revenue had been defrauded, but not the inhabitants of Dartmouth. They paid the taxes which they were by law bound to pay, but the collector made a false return of the amount to the Treasury. It was true that a person had been appointed by the Stamp Office to take a fresh survey of Dartmouth, and, therefore, he had moved for some papers from the Tax Office, hoping by them to prove that Dartmouth was entitled to two Members; but he now understood that the person who was sent, staid only one day, and, consequently, could not possibly make a fresh survey. This accounted for his (Sir Henry Willoughby) not being able to elicit any thing from the papers favourable to the right of Dartmouth to retain its two Members, which, he was confident, he should be able to do, if the case was investigated properly. Under these circumstances, he relied on the justice of the noble Lord for not depriving this borough of its rights without a more satisfactory investigation.

Lord *John Russell* allowed that he had once felt some doubt as to the propriety of placing Dartmouth in schedule B. In consequence of the representations made respecting the deception which had been practised with regard to the assessed taxes. To set the matter at rest, a fresh survey was directed to be taken, to ascertain the precise value of those taxes which the borough ought to pay; by this it was clearly established that fraud was practised by the last collector. The object of the hon. Baronet was, to make it appear that the consequence of this fraud had been the fixing the assessment of Dartmouth at too low an amount, and that, if a fair assessment were made, Dartmouth would pay more taxes than it did at present. It, however, turned out, upon examination, that, by a new assessment, the borough would not pay more in 1832 than it did according to the assessment made by the fraudulent collector. The fraud did not consist in the amount of assessment returned, but in the mode of collecting it. The fraud was practised on the inhabitants, and not on the revenue. The hon. Baronet had alluded to the number of houses, and said, that it had been stated too low by the returning officer. He was inclined to place reliance in the statement of the returning officer, as it was founded on the census of 1831, which was the best authority.

Mr. *Holdsworth* felt some delicacy, as it might be supposed, on this occasion, he was influenced by private motives, being an inhabitant of Dartmouth, therefore he wished to clear himself from this imputation, by stating to the Committee, that, whatever their decision was upon this question, it would not in the least affect him with respect to property; for though a resident in the borough, he did not possess more than one 10*l.* house. Whether the borough was to have hereafter one Member or two, was to him individually a matter of no moment. He would not, however, pretend that he did not feel an interest in maintaining the importance of the town in which his family had resided for more than two centuries. As the question had been mooted by the hon. Baronet, he would endeavour to lay before the House a true statement of the case. The returns presented to the House, in pursuance of a motion made by the hon. Baronet, should be his authority. The proposition advanced by the hon. Baronet was, that the amount of assessed taxes paid by the inhabitants of Dartmouth had been underrated, in consequence of the fraudulent and deceptious conduct of the collector. The noble Lord admitted the fact of the fraud, but said, that it was practised on the inhabitants of the borough, and not upon the revenue, in consequence of the collector obtaining from the former, not only more than he actually returned to Government, but more than he ought to have returned. The papers upon the Table led him (Mr. Holdsworth) to a different conclusion, and he begged leave to state the grounds of that conclusion to the House. The Commissioners of Taxes were called on to investigate this case, and they reported "that the collector had been guilty of fraud, in the preceding year, to the extent of 200*l.* and upwards; that there was reason to believe that the system had been going on for many years; and that the revenue had been defrauded to a large amount." In a subsequent letter from the Tax-office, the amount of the assessment drawn from the inhabitants of Dartmouth by the fraudulent collector was recognised as that which should in future be raised; for the collectors were directed to found their future assessments upon his. Thus the whole question hinged on the amount of assessed taxes. Ought, or ought not, the sum which the fraudulent collector pocketed, to have been paid by the inhabitants of Dartmouth? He believed that the sum was properly levied; because, if it had been otherwise, the inhabitants would have appealed against it. The noble Lord said, that a person had been sent down to Dartmouth to make a new estimate of the amount of assessed taxes which ought to be paid by that place: he had reason to believe that person had performed his duty very imperfectly. He understood people were afraid to produce their receipts, from an apprehension that they might be called upon to pay more money. He was sure the noble Lord did not wish to place Dartmouth in a worse situation than other boroughs similarly circumstanced; but, on the best consideration he had been able to give the subject, he was fully of opinion that, upon the principle laid down by the noble Lord, Dartmouth ought to be allowed to retain its Members.

Captain *Bastard* said, it appeared quite evident that the inhabitants of Dartmouth paid no more than their proper proportion of assessed taxes, otherwise they would have appealed against the assessment. It, therefore, followed, that that borough ought to be removed from the schedule in which it was placed. It would, therefore, be exceedingly hard and unjust to disfranchise this borough merely on account of the misconduct of a tax-collector.

Mr. *Croker* said, the noble Lord affirmed the fraud committed by the collector was against the inhabitants, and not against the revenue. In contradiction of that statement, there was the assertion of the Commissioners of Taxes, that "the revenue had been defrauded to a large amount." He asked the Committee whether they could believe that the inhabitants of Dartmouth had submitted for a couple of years to pay more than they were legally liable to pay for servants, houses, windows, and horses? It might be contended, that the collecting officer, in some cases, had the power of overcharging, where the party paying the tax had not the means of detecting the imposition; but could it be pretended that a man did not know how many windows, servants, horses, and dogs, he had to pay for. The assessment was properly made, but the collector returned a smaller amount to the Treasury than he ought to have done, and, therefore, the Treasury was defrauded—not the inhabitants of Dartmouth. They paid neither more nor less than they ought to have paid. The statements which had been made with respect to the number of houses in Dartmouth also presented a case of discrepancy. The hon. Baronet made the total number of houses amount to 767, while, according to Lieutenant Drummond, they amounted to only 634. He was inclined to believe the statement of the hon. Baronet rather than that of Lieutenant Drummond, and the returning officer; because the relative population of the borough more nearly accorded with that amount, in comparison with the cases of other boroughs. Dartmouth contained 4,566 inhabitants; and, according to Lieutenant Drummond, 634 houses; but, according to the hon. Baronet, 767. In Dorchester the population was 4,900, and the number of houses 750. This was very near the proportion stated by the hon. Baronet. Harwich was another case almost exactly in point. Like Dartmouth, it was a sea-port, and it contained 4,561 inhabitants (within five of Dartmouth), and 743 houses. Calne contained 3,300 inhabitants, and 670 houses, being more than Lieutenant Drummond assigned to Dartmouth, which had a considerably greater population. There was another case very much in point; that was Windsor. That borough had 4,100 inhabitants, and 795 houses. In general it would be found, that whenever the number of inhabitants exceeded 4,000, the number of houses was something more than 700. In a case of doubtful testimony they should decide on the ground of probabilities; and the statement of the hon. Baronet was more probable than that of Lieutenant Drummond.

Lord *Althorp* said, that, upon further consideration, and after weighing all the arguments which had been advanced on the subject, he could not consent to exclude Dartmouth from the schedule.

The Committee divided:—Ayes 205; Noes 106;—Majority 99.

Dartmouth placed in schedule B.

Question put, that the borough of Totness stand part of schedule B.

Colonel *Davies* complained that a number of hon. Members voted in the last division who had not heard the debate. He had voted in the minority on that occasion, because, according to the principle of the Bill, Dartmouth ought to have been preserved. No doubt his name would appear in certain prints as "of those Members who usually supported Ministers," but had, on this occasion, voted against them. Ministers were acting inconsistently in allowing Totness to retain its Members, when it did not contain nearly as many 10*l.* houses as Dartmouth; but he had heard it whispered, that Totness was to be made a close borough.

Lord *Althorp* expressed his surprise that the hon. Member should indulge in such insinuations. The hon. Member ought to have known that he and his colleagues were incapable of acting from unworthy motives.

Question negatived.

House resumed. Committee to sit again.

HOUSE OF LORDS,

Monday, March 5, 1832.

MINUTES.] Petitions presented. By the Marquis of LANSDOWN, from the Landowners and Inhabitants of Fraughart and Moss Towns and by the Earl of SHREWSBURY, from the Inhabitants of Kilcomin and Romin, Whitchurch and Garroclyne, New Ross, Carrick on Suir, Kilmannan, Killag, Butlers Town, Kelrie, Union of Burnchurch, Gowranclara, Youghall, and Kells, for the Abolition of Tithe, in Ireland:—By the Earl of SHREWSBURY, from the National Trades Political Union, Inhabitants of Grange Gorman, Duncormack, Kilcoan, New Ross, Kilcomin, and Robin, that a measure of Parliamentary Reform may be granted to Ireland similar to that of England, from the Inhabitants of Whitchurch and Garrocloyne, for the Introduction of Poor Laws into Ireland, from the Inhabitants of Longford Temple Michael and Ballymacormick, for the Repeal of the Union, from the Inhabitants of Wexford, Maglass, Ballymore, Killinick, and Smarthmore, to disband the Yeomanry, and from the Roman Catholic Inhabitants of Butlers Town for the Repeal of the Subletting Act.

CONDUCT OF LORD PONSONBY IN BELGIUM.] The Marquis of *Londonderry* rose, in consequence of the notice he had given of his intention to ask some questions respecting certain circumstances which were freely spoken of in society, and which had been published in the public newspapers. When he gave that notice, he had expected that the same courtesy which it was usual for noble Lords asking questions to experience in that House from the Ministers of the Crown—and of which no one had taken greater advantage than the noble Earl (Grey), when on the opposition side of the House, would have been extended to him. He, therefore, hoped that the noble Earl would not, in the present instance, depart from the course usually pursued in that House, but would answer those questions which he felt it to be his duty to ask. If the noble Earl's explanation should be satisfactory, it would be unnecessary to press the matter further; but if no explanation, or an unsatisfactory one, was given, he should then feel bound to submit a motion to their Lordships on the subject. He hoped that the angry feeling exhibited in the discussion of the other night would be suffered to die away; and that it would not be revived by the noble Earl refusing to answer his questions. It appeared that a letter had been written by the Belgian general, Baron Van der Smissen, containing very grave and serious charges against Lord Ponsonby. The letter did not deal in vague and general allegations; but precise statements were made, and several individuals connected with the transactions to which it referred were mentioned by name. It was there stated that Lord Ponsonby, the British Minister in Belgium, had entered into a plan for exciting an insurrection in that country in favour of the House of Orange, from which he withdrew when the Administration of this country thought fit to change their policy with regard to Belgium. The writer proceeded to state, that, by this conduct, on the part of Lord Ponsonby, the safety of all those persons who had been induced by him to assist in producing the insurrection had been compromised. He (the Marquis of

Londonderry) wished to know, whether there was any truth in those allegations? and he should be glad to see the noble Lord (Ponsonby), if he was in his place, stand up and deny them, if he could. Another charge brought against Lord Ponsonby was, that of having suppressed certain petitions which had been placed in his hands for the purpose of being transmitted to the Conference. It was stated, that a certain individual had been directed by the Conference to collect the sentiments of the people of Belgium with respect to the restoration of the House of Orange; that a great many petitions were accordingly got up on the subject; and one of them, signed by 1,500 persons, was placed under the care of Lord Ponsonby; and that that noble Lord never thought proper to transmit it to the Conference. He certainly could not believe that Lord Ponsonby, if he received the petition at all, would have failed to forward it to the Conference; but, in consequence of the positive statements which were made on the subject, in diplomatic circles, and in the public newspapers, he felt he could not do less than ask the noble Earl opposite, whether there was any truth in those allegations. But he must say, that if such acts attributed to Lord Ponsonby were correctly stated, such conduct had not been surpassed in the worst days of Napoleon. He should feel most satisfied to find that Lord Ponsonby had been unjustly accused; but if the charges were not denied, he should submit a motion to their Lordships on the subject.

Lord *Ponsonby* addressed the House as follows:—I give to the statements made by the noble Marquis the most distinct, direct, and positive contradiction. I will not enter into any explanation of my conduct before him. I do not recognize him as my judge, and I do not know what right he has to demand any explanation from me. I stand upon my character before the world, and upon that I depend for the justification of the conduct which I pursued in Belgium. I scorn the accusation of the noble Marquis. Let the noble Marquis bring forward proofs of the truth of his statements; let him go to the unworthy sources from which he has received those scandalous and calumnious libels, and bring them to light; let him call me before my Peers in this House, and submit a distinct motion on the subject. I repeat my denial of those libels. I will give no explanation. I stand upon my character.

The Marquis of *Londonderry* begged to assure the noble Lord, that no individual had heard his statement with greater satisfaction than himself. He had always considered the noble Lord to be a person of the highest honour; and he felt some pride in having been the means of inducing the noble Lord to proclaim to this country, to Belgium, and to Europe, that the scandalous and infamous allegations contained in the letter of Baron Van der Smissen, and in other publications, were totally unfounded.

Earl *Grey* thought, that, after what had fallen from the noble Lord (Ponsonby), it would be unnecessary for him to say a word in answer to the accusations which had been brought against him; but he must say, that the noble Marquis might have been satisfied of their falsehood by merely perusing the papers which contained them. He believed that no suspicion would have entered the mind of any other person, who knew the noble Lord's character, that he could be guilty of acts which, the noble Marquis had said, would have disgraced the worst days of Napoleon. He really was convinced that no other person but the noble Marquis would have thought it necessary to call upon the noble Lord for a formal contradiction of those scandalous accusations, which were totally and absolutely devoid of truth. The noble Lord (Ponsonby) was instructed (and he uniformly obeyed his instructions, and had entitled, himself by his conduct, to the approbation of the Government by which he was employed) not to interfere in any of the party contentions of the country to which he was sent; and the statement that he had engaged in a plan of insurrection, and afterwards declined proceeding with it, contained not a particle of truth. The noble Marquis had stated, that some person had been sent by the Conference to Belgium, for the purpose of getting up petitions. This was the first he had heard of the matter, and he knew not what petitions the noble Marquis alluded to; but this he knew, that everything which came to his noble friend, and which it was important the Government at home should be made acquainted with, was transmitted by him. He would conclude by assuring the noble Marquis that it was not from any feeling of disrespect to him that he had said he would not answer his questions, but, being aware how often debates arose when no motion was before the House, and having a few nights since witnessed the inconvenience of such a mode of proceeding, he had certainly determined, as far as in him lay, not to give an occasion for another such irregular discussion. The noble Marquis said, that he was satisfied with the answer he had received, and he was certain that every man in the House must be satisfied with the manly declaration of his noble friend.

PLURALITIES BILL.] The Archbishop of Canterbury moved that this Bill be read a second time.

The Earl of *Eldon* expressed some hesitation in concurring in the measure as it stood, and had, therefore, to request, the Committee might be postponed; in which case he had no objection to allow the Bill to be read a second time at present. If, upon full consideration, however, the most reverend Primate should still be of opinion, that the Bill was likely to prove beneficial, his confidence in the judgment and prudence of his Grace, would induce him to acquiesce in it.

Lord *King* begged to state, that it was not his intention to oppose the Bill as a whole because he did not think the existence of all pluralities in the Church an evil, but he hoped the Bill would be materially altered in the Committee. There were few persons, he believed, throughout the country, who did not now call themselves moderate Reformers, but then they would only concede the very *minimum* of Reform, and that was the character which this Bill deserved. It must be considered, from the very little way it went in remedying the evils of holding pluralities, to be the most unsatisfactory and disappointing that could have been brought forward. Such a measure might have been considered highly beneficial thirty years ago; but the change which had taken place in the minds of the people at large, during that period, would induce them to be anything but satisfied with this measure, if it was similar to that which was before the House last year, and he understood it was, and which went to limit the distance within which two livings might be held by the same incumbent, to thirty instead of forty-five miles, and the taking of livings beyond that limit, subjecting the clergyman doing so to the forfeiture of the first living so held by him, and this he understood to be the tenor of the present Bill. That there were great abuses existing in the Church, no one would have the temerity to deny; and the greatest of all these abuses was that of two rich benefices being held by one and the same person. But did this Bill go to the correction of that crying evil? Certainly not. The rule was, that all pluralities were abuses, and their existence could only be justified on special grounds, the principal one being, where the livings were so small and near together that the duties could be performed satisfactorily by the same person, and where the amount of the funds receivable in each case was only an adequate remuneration for the services actually performed. But, admitting the propriety of this exception to the general rule, was that any reason why two large and rich benefices should be held by the same person? Dispensations of this kind converted the profession of ministers of the Gospel into a trade, which had the lucre of gain for its object. There was nothing like this existing in the Roman Catholic Church, it being, in point of fact, an abuse which belonged exclusively to the Church of England. He had not yet been able to discover how it was, that a Bishop, in addition to his see, was allowed to hold a deanery, or a prebendary, or a large and wealthy living *in commendum*, and he wished to be informed whether this Bill remedied that abuse? If it did not, every friend of the Established Church must be satisfied the Bill would be of very little value, and could not possibly be considered satisfactory, more particularly when it was recollected that the religion of the Established Church was not the religion of the majority of the people of this country. He pledged himself to that fact; and the inference he drew from it was, that the Established Church, could not afford to lose its character, by permitting the continuance of such an abuse. If there was one circumstance more than another that would operate to benefit the interests of the Established Church, it would be that of preventing the holding of two great livings by the same individual, and that object this Bill did not go to effect. One of the principal evils resulting from the practice was, that it led to non-residence. The number of non-resident clergymen of the establishment, as appeared by the last return, greatly exceeded the number of those who were resident;

the number of the former being 6,080, and of the latter 4,416. This was the great grievance which ought to be abolished. The Legislature had endeavoured, the House of Commons particularly, had made great efforts to remedy this abuse. The Act of Henry 8th, was passed for that purpose; so also, were those of Edward and Elizabeth; and, lastly, that of Charles, which ensued upon the second Reformation, an Act which had for its object to restore the ejected Ministers who had been turned out by Oliver Cromwell. That Act says—"If the Minister shall have been ejected out of two ecclesiastical benefices for the cure of souls, he shall be restored to one, and no more." These were the words of the Act of Charles 2nd. He did not think it necessary to stop to ask how the practice of holding pluralities began; certain it was, that it had existed for a long period, and that it had, from time to time, found apologists among the ministers of the Church. Bishop Hooker was one among the early apologists for the practice; and he said, "The number of livings in the Church is so great, and the number of learned men to fill them so small, that you must either not let the livings be severed, or you must have incompetent persons appointed to them. Of two evils choose the least: it is better that one learned and competent person should be appointed to two livings, than that they should be severed, and two unlearned men be appointed." Another reason assigned for non-residence was, in order to enable persons to reside at the University, for the purpose of obtaining further knowledge, that they might be more fitting for their occupation, and more useful in their calling at a future period. The reasons for the adoption of this practice might be very good ones at the time at which it originated; but they could not be considered applicable as regarded the present times. The clergy of the present day had attained a much greater degree of fitness for their sacred duties; and there was no reason to suppose that there would be any numerical deficiency in their body, or that the demand for their services would be greater than the means of supply. Bishop Burnett was of opinion, that many abuses had been purged out, but that many still continued in his time in the Church, among which was to be found that of pluralities, which had not been purged out, notwithstanding all the outcry that was made on the subject at the Reformation. These were abuses which the Church of Rome was ashamed of, and which Queen Mary even had endeavoured to root out. Such was the opinion of Burnett on pluralities, and non-residence and his authority was strengthened, if it needed any support by that of Archbishop Usher. It was wholly unnecessary to enter into any lengthened argument to show that the present Bill was in truth, nothing more than a mockery and delusion. He, therefore, hoped, when they came to consider it in Committee, the right reverend Bench would permit it to be rendered in some degree efficient, or they might depend upon its never becoming a law.

Lord *Ellenborough* remarked, that the authority of Bishop Burnett might be very applicable to his own time, and for the purposes for which he wrote, but, with the circumstances of the present time, and the state of the Church, he must necessarily have been as ignorant as the noble Baron seemed to be of all that had passed since the days of that Prelate. The noble Baron seemed not to be aware that under the 7th George 3rd, the Bishops had the power to enforce the performance of Divine Service twice in every Church on the Sunday, and could compel the residence of either a Curate or Rector in each parish. They had also been empowered by the Legislature to see that the Curates who did the duty were paid salaries in proportion to the value of the living. The total abolition of all pluralities could only lead to the appointment of some Curates to small benefices. He recollected an observation made to him ten years ago by the most reverend Primate, that he did not think he could do a greater injury to a poor Curate than by giving him a poor living, since he thereby raised him to a higher station, and imposed on him the necessity of incurring additional expenses, without any proportionate increase of income. He granted that pluralities and non-residence were a scandal to the Church, but if that scandal did exist, it must be remedied by a different measure from the present Bill. It had been objected to this Bill that it did not prevent livings being held by Prelates *in commendam*. The noble Lord who made that objection ought to make himself better acquainted then he appeared to be with the provisions of the Bill. The practice was, in a great measure unavoidable. Some of the dioceses, were so poor that proper diocesans could not be found for them, unless they were improved by the addition of dignities in cathedrals, or by livings held *in commendam*. He would not object to the second reading of the Bill, although there were some parts of it which excited his apprehensions. It should be maturely considered whether they might not do an essential injury to the Church by abolishing curacies, or greatly reducing their number.

Bill read a second time.

HOUSE OF COMMONS,

Monday, March 5, 1832.

Minutes.] Bills brought in. By Lord Nugent, for the Registration of Births. Read a second time; Navy Civil Departments; Marine Mutiny.

Returns ordered. Of the parts of each County of England and Wales locally separated from the same, specifying their Population, and the Districts and Counties to which they would be annexed under the Reform Bill:—On the Motion of Mr. Henry Grattan, for all accounts relating to the building of the Annesley Bridge when it was begun and finished, the Cost and the Estimates, and the Amount of Tolls and Receipts:—On the Motion of Lord John Russell, an Abstract of the Population, Assessed Taxes, &c.; of the Boroughs contained in parts 1 and 2 of the Boundary Bill:—On the Motion of Mr. Stuart Wortley, a Return of the Proportions to the Rent or actual Value at which the Parochial Assessments are made in each Parish intended to send Members to Parliament under the Reform Bill.

Petitions presented. By Mr. Wilbraham, from 1,700 Inhabitants of Macclesfield, in favour of the Factories Regulation Bill; against the same Bill, from Persons employed at Spring Bank Mill, and Water Mills; King Street Mills, and New Bridge Lane Mills, and Bridge Field Mills, Stockport; Mersey Cotton Mills in Heaton Norris, and of Spinners and Manufacturers of Mottram in Longendale, Chester; from the Freeholders and other Inhabitants of Marple, against the General Registry Bill; from the Freeholders and Inhabitants of Congleton, for the Amendment of the Lighting and Watching Act:—By Sir Edmund Hayes, from Distillers of the County of Donegal, for the Repeal of the Malt Drawback Duty Bill:—By Mr. Wallace, from the Persons connected with the Courts of Civil Law (Ireland) that no measure may be passed to regulate those Courts until the Report of the English Commissioners had appeared:—By Mr. Anthony Lefroy, from 560 Persons of the Union of Granard, and by Lord Cole, from the Inhabitants of Killoe, against the proposed Plan of Education for Ireland:—By Sir John Milley Doyle, from the Guild of Hatters in Galway; and by Mr. Henry Grattan, from the National Trades Political Union, for the Equalization of Civil Rights in Galway:—By Sir John Milley Doyle, from the Inhabitants of Dunleckney and Augha; and by Mr. Henry Grattan, from Inhabitants of Derry Patrick and Navan, for the Abolition of Tithes:—By Mr. Henry Grattan, from the Inhabitants of Derry Patrick, in favour of Reform; and from an Individual, in favour of the Dublin Coal Trade Bill.

Education Ireland.] Sir John Brydges presented a Petition from the Presbyterian Congregation of Magilligan, in the county of Londonderry against the proposed new plan for Education in Ireland.

Sir *Robert Bateson* said, that the plan of education proposed had caused the greatest dissatisfaction, in the north of Ireland. The Presbyterians, as well as the Members of the Established Church, were equally and most decidedly opposed to it, and he entreated his Majesty's Government to reflect well before they proceeded in a cause which would injure and irritate the whole of the Protestants in Ireland. The Protestants had a right to be considered, and they opposed the plan of education proposed, because it would deprive their children of the Bible without note or comment. The Presbyterian Synod of Ulster felt most strongly upon the subject, and, indeed, he was authorized to say, that the great body of Protestants of the north of Ireland would rather have no system of public education at all than one which so completely violated all their religious feelings as did the new scheme. Let the Government and the House compare the condition of that part of Ireland in which the light of the Gospel shone out purely with that in which that light was obscured by error and superstition, and then the blessings and advantages of truly scriptural education would be palpable To one petition, similar to that now before the House 230,000 Protestants had affixed their signatures; and, in the name of all the Protestants of Ireland—of two millions of his fellow-subjects—he again entreated the Government to pause before they proceeded further with the attempt to thrust the new system of education upon Ireland.

Petition to be printed.

Seceding Ministers (Ireland.)] Sir *Robert Bateson* presented a Petition from the Ministers of the Seceders in Donegal, for an increase and equalization of the *Regium Donum*. These individuals composing the Society over which the petitioners presided, were unexampled for good conduct. He was authorized to state there was no instance of one of the Members of their body having forfeited his life to the laws of his country: such persons certainly deserved every favour. He was of opinion that the prayer of the petition ought to be complied with, and that the Seceding Synod, and all the unendowed congregations, ought to participate in the grant. At present the bounty was distributed to the ministers in three classes; the first received 70*l.*; the second 50*l.*; and the third, 30*l.* These sums were wholly inadequate to maintain the families of gentlemen who had received an excellent education, for such the petitioners were—and when it was considered that the country was at no expense in sending down Special Commissions, or employing an army in that part of Ireland, from which this petition proceeded, he thought the subscribers to it had every claim to the consideration of the House.

Lord *Acheson* said, the petitioners were a most estimable body of men, and he understood many of them received only 45*l.* per annum, while some few had as little as 20*l.* He thought they were justly intitled to a larger allowance, and he could assure the House, such a measure as increasing their incomes, would be received with the highest satisfaction in that part of Ireland in which the petitioners resided, and where they were much respected.

Mr. *Stanley* said, with respect to the inequality in the distribution of the grant, he doubted if the petitioners were those who had the best ground of complaint. He must state to the House, that he had caused inquiries to be made into the subject, and found that the ministers of the petitioning Seceders were better provided for than those of the Synod of Ulster.

Mr. *Hume* regretted the grant was to be continued, as it was obvious, from the present petition, that it only led to envy and dissention. With regard to the disposal of it, he thought the best course to pursue would be, to put all the dissenting congregations upon the same footing, and make each pay its own Ministers. He saw no reason why the Presbyterian clergy were to receive the royal bounty, from which the Catholics were wholly excluded. He strongly recommended the withdrawal of the grant altogether.

Lord *Castlereagh* assured the hon. member for Middlesex, that, if an attempt was made either to diminish or withdraw the grant, he would oppose it to the utmost of his power.

Colonel *Conolly* said, he must also add his voice in support of the prayer of the petition. He knew the petitioners to be a most excellent and deserving body of men. The chief ground of complaint was, that the petitioners were not placed on an equal footing with the Synod of Ulster, from which they had seceded. There was no reason why any distinction should be made between the two parties.

Petition to be printed.

GRAND JURY LAWS AND CONSTABULARY FORCE (IRELAND.)] Sir *Robert Bateson* presented a Petition from the City and Liberties of Londonderry, that the Grand Jury Laws might be amended. The petitioners complained that expenses were incurred which were altogether unnecessary in their opinion; that many offices paid out of the Grand Jury cess were merely political, and, therefore, ought to be paid by Government. The petitioners further asserted, that they were compelled to pay for a much larger Constabulary Force than was required.

Petition brought up, and on the Motion that it be printed,

Lord *Killeen* said, as the hon. Baronet had stated that the petitioners complained of the amount of the Constabulary Force, he wished to ask the right hon. Gentleman, the Secretary for Ireland, whether he contemplated any measure for the improvement of that force.

Mr. *Stanley* said, he had a measure in preparation for altering and amending the laws relating to the constabulary force in Ireland; he trusted it would be found calculated to increase their efficiency, and diminish the expense of that force.

Mr. *Wyse* said, the Grand Jury Laws in Ireland positively required revision. The Grand Juries, by the existing system, had no control over the expenditure of the county, although they had to make the cess; it would be a great improvement if they had such a control over the charges to which their respective counties were subject, as that House had over the public expenditure. At present, if they refused a claim, they could be compelled to pay it by the mandate of a Judge. Until these laws were very much improved, the people of Ireland would never be satisfied with their administration.

Mr. *Henry Grattan* knew an instance, which occurred recently, where the whole twenty-four gentlemen who composed a Grand Jury, unanimously refused to make an assessment, as they thought there was no ground for such a proceeding; but they were compelled to do so on the mandate of the Judge who went the circuit. The greatest abuses existed, and the most gross frauds were committed, under the present system; the Clerks of the Crown, and other officers connected with the counties of Ireland, were appointed by the Crown, and therefore, ought to be paid out of the public purse.

Petition to be printed.

Silk Trade.] Earl *Grosvenor*, in moving the Order of the Day for the appointment of the Committee on the Silk Trade, said, he was desirous of correcting some erroneous impressions which had originated in his speech on the subject of the Silk-trade on a former evening. The first of these was in reference to an hon. Member (Mr. Morrison), whom he (Lord Grosvenor) had stated was an interested person in the decision of the Committee on the Silk-trade. When he used the term "interested," he only alluded to the interest likely to be excited by an interesting question, and, in no degree had he intended to refer to pecuniary considerations. The second had reference to his observations respecting the establishment of Messrs. Aimes and Atkinson at Battersea. He had stated, that, in consequence of the distress existing in the Silk-trade, those Gentlemen had been obliged to sell some valuable machinery, which had originally cost above 19,000*l.*, for a sum of 5,000*l.* The machinery had unquestionably cost about 18,000*l.*, but the extent of the loss on its sale had been, by no means, as great as he had stated it. As Messrs. Aimes and Atkinson were engaged in another business, he feared his mis-statement of the fact might be injurious to them, and he, therefore, troubled the House with its correction. The noble Lord then moved, that certain names (which he read from a list) should constitute a Committee for an inquiry into the distress existing in the silk manufacture of the country. Agreed to.

Cholera Morbus.] Mr. *Hume* was desirous of asking a question of the right hon. the Vice President of the Board of Trade, on the subject of the Cholera Morbus. He had seen, in the last report from the Central Board of Health, a statement, to the effect that sixteen cases had occurred in the parish where he resided—Marylebone. Of course such a statement had attracted his attention, and he had instituted inquiries to ascertain its correctness. The result of this inquiry he felt bound to state to the House. He found that in none of the reported cases was there one single symptom characteristic of Asiatic Cholera. He, therefore, begged to ask on whose authority it was, that the report of the Central Board of Health was drawn up? He need not, he was sure, impress upon the Government the absolute necessity of satisfying the public, that no case was admitted into the report which had not occurred, and it was with this view that he asked the question.

Mr. *Poulett Thomson* said, he would inform the House how the reports issued by the Board of Health were made up. Inspectors, who were medical men, and in general attached to the army, were appointed in each district by the Central Board of Health. These inspectors examined cases, and reported those which they conceived to be cases of Cholera. The reports of the inspectors were considered sufficient authority for the insertion of the cases in the report issued by the Central Board of Health. The cases stated to have occurred in Marylebone workhouse were reported to the Board of Health by the inspector of that district. It appeared, from a statement made in a newspaper, that the inspector for Marylebone had, subsequently to his making his report, expressed to other medical gentlemen some doubt as to the cases being really Cholera cases. This statement immediately attracted the attention of the Board of Health, and they had that morning sent for the medical inspector, in order to ascertain whether he had made any such admission. He had not yet heard the result of the inquiry.

Mr. *Hume* said, that it was necessary that the subject should be strictly investigated, in order to satisfy the public.

Mr. *Poulett Thomson* begged to direct the attention of the House to a return for which the hon. member for Middlesex had moved, and which was now upon the Table of the House. Hon. Members must have observed that recently the most abominable reports had been in circulation with respect to the remuneration made to the medical gentlemen acting under the Board of Health. Even within the last few days he had observed in some of the newspapers a repetition of a statement, which was perfectly false, namely, that these gentlemen were in the receipt of twenty guineas a-day, or some such sum. He only trusted, that hon. Members and the public would be good enough to inspect the return which was laid upon the Table of the House on last Friday. It appeared from that return, that these gentlemen received what could scarcely be called a competent remuneration, for 7*s.* 6*d.* per day was the largest sum they could receive for all their labour and anxiety.

Mr. *Hunt* said, that it was not his wish to create unnecessary alarm upon this painful subject, but he could not avoid stating, that he was led to believe—that many cases of Cholera were never reported at all. He could state a fact which had taken place within 200 yards of where he lived—in Stamford-street. A woman was taken ill on the Sunday before last, and died early on the following Monday. Her husband was taken ill on the Monday, and died on the Tuesday. The son of these unfortunate people, and two other persons, who followed the husband to the grave, were taken ill on the Wednesday, and the son and one of the persons died. Thus, in a short space of time, the wife, the husband, the child, and a person who followed the husband to the grave, were swept off by disease. Several medical gentlemen, and, amongst others, Dr. M'Cann, declared that the disease by which these persons were destroyed was the Asiatic Cholera; but whether it were the Asiatic Cholera or the English Cholera, as it was a disease by which persons were so suddenly seized, and so soon destroyed, he hoped that Ministers would use every exertion to make the truth be known respecting it. The more widely the truth should be disseminated, the less would be the alarm in the public mind. Yesterday, no less than seven dead bodies was carried past his door, and buried in a church-yard separated from the public road only by an open iron railing. He hoped that Ministers would direct their attention to this subject. If these were cases of Cholera, was it proper to bury the bodies in the very middle of the metropolis, close to a public road? In conclusion, he trusted that Ministers would not be deterred, by the calumnies which were cast upon them and the medical Board, from acquainting the public with the true state of this frightful disorder.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—NINETEENTH DAY.] On the Motion of Lord John Russell, the House went into Committee upon the Reform of Parliament (England) Bill.

On the Chairman proceeding to read the names in schedule D,

Mr. *Trevor* rose to submit a Motion to the Committee respecting the town of Stockton-on-Tees, and, as he proposed to divide the House upon it, he requested the attention of hon. Members to the subject. Stockton-on-Tees was a town which, for a series of years, had been rapidly advancing, not in population alone, but in commercial and shipping importance. Perhaps the shortest way to state the claim of that town to Representation would be to read an extract from a petition presented to the House from its inhabitants, detailing not only the amount of its population and shipping, but the amount which it returned to the revenue. In the year 1811, the return of Customs from Stockton-on-Tees was 4,000*l.*; in 1830, it was 44,000*l.*; and in 1831, the year in which it was to be recollected the duty on sea-borne coals was repealed, 44,000*l.* Thus there was an increase in the Customs between the years 1811 and 1831 of 40,000*l.* In 1830 the return of inward-bound vessels was 1,262; of outward-bound, 361. In 1831, the return of inward-bound was 2,104, and outward, 454, shewing a considerable increase. The population of the town of Stockton-on-Tees alone, independently of the adjoining townships, which, in the event of its insertion in the schedule, would, of course, be added to the town, was 7,566 souls. If the two adjoining townships, one of which contained 1,406, and the other 401 inhabitants, were annexed to it, there would be a population of nearly 9,000 persons, offering a sufficiently ample constituency. There were in the town 600 10*l.* houses, and 300 40*s.* tenements. Such were the statements of the petition, which he conceived were quite sufficient to entitle the town to Representation. If he (Mr. Trevor) correctly understood the principle upon which the Reform measure was introduced, it was to give Representation to considerable places whose population and commercial interests had not been hitherto adequately represented. If such was the principle, he could not understand why Stockton-on-Tees was omitted. Cheltenham and Brighton were to have Members, but he would be glad to know what interests either of those places possessed to entitle it to Representation in preference to Stockton-on-Tees. He might be told that the county of Durham had already an ample number of Members granted by the Bill. He admitted such was the case.

Nay, he would go further, and say that the county of Durham had a more than ample number of Representatives. What he complained of was, that those Representatives were badly allotted. Out of the ten Members that Durham was to receive, eight would be returned by the northern division of that county, while the southern division, containing the important towns of Stockton-on-Tees and Darlington, would have but two Representatives. He would suggest the transferring of the Representation which was allotted to Gateshead to Stockton-on-Tees. If the two places were compared, no reason could be found for preferring Gateshead; and he could not avoid hoping that Ministers would consent to the change. The hon. Member concluded by moving, that Stockton-on-Tees be inserted in schedule D.

Lord *John Russell* opposed the Motion. He would not deny that Stockton-on-Tees was a considerable place, but he contended, that there were a great many other towns much better entitled to Representation, even if it was the intention of the framers of the measure to make any alteration in the Bill as it stood, which it certainly was not. He must, however, state to the House that Doncaster contained a larger population than Stockton-on-Tees, and paid a considerably larger sum in assessed taxes. The hon. Gentleman had complained that the county of Durham was over represented, and yet he proposed to give another Representative to a town in that county. True, he had proposed, as an alternative that Gateshead should not be represented, in order to give its Member to Stockton-on-Tees; or, in other words, he had asked the Committee, admitting population as an element of the principle on which the measure was founded, to deprive Gateshead, containing a population of 15,000 souls, of its Representation, in order that it might be bestowed on Stockton-on-Tees, containing but 7,000 or 8,000 individuals.

Sir *Charles Wetherell* thought, that his hon. friend had made out a most satisfactory case on behalf of Stockton-on-Tees. He was at a loss to conceive what superior right the toy, lemonade, and jelly shops of Brighton had to Representation in comparison with the commercial and shipping interests of Stockton-on-Tees. He thought the assessed taxes formed a bad element for Representation, for it was impossible to say in what manner they might be altered. For ought he or the House knew, the tax on windows might be repealed in the next Budget which the Chancellor of the Exchequer would bring forward—if, indeed, he intended to bring forward any Budget—and there would be an end to one of the elements of the principle on which the measure was founded. Such things as hair-powder formed a very slight basis for a measure of such importance as that of Parliamentary Representation. Upon every consideration he was resolved to vote in favour of the Motion.

Lord *Althorp* was surprised to hear the hon. and learned Gentleman deprecate the assuming of hair-powder as an element of the Bill, when he recollected the constant use of that article by the members of the profession to which he belonged.

Sir *Charles Wetherell* begged pardon for interrupting the noble Lord; he was in the habit of wearing a patent wig.

Lord *Althorp* certainly recollected to have seen the marks of hair-powder on the hon. Gentleman's habiliments. With respect to the Motion before the House, he would only observe, that even, supposing it was deemed possible or expedient to give another Member to schedule D, there would be a question whether Stockton-on-Tees ought to be the place selected for that purpose, for Loughborough, Darlington, and Croydon, possessed a population much larger in amount than Stockton-on-Tees. For this reason he would oppose the Motion.

Mr. *Croker* was of opinion that the southern district of the county of Durham was neglected in the proposed measure of Reform, not only with regard to Stockton-on-Tees, but in other cases. As to the Motion of the hon. Gentleman, he would content himself by observing, that if no others of the towns of Durham were to be left out in order to give Stockton-on-Tees a Representative, he could not vote for the measure, as he considered Durham had already more than its due proportion of Members. He thought it would have been better to have given a Representative to Stockton-on-Tees, rather than to South Shields. While they were considering this part of the schedule, he desired to make one observation respecting Toxteth Park, near Liverpool. Some time ago it had been urged that Toxteth Park stood in the same relation to Liverpool, that Salford did to Manchester. In reply, it was stated that Salford had a separate jurisdiction from Manchester, which was not the case with Toxteth Park; and, at the same time, it was further urged against giving Toxteth Park a Representative, and in favour of doing so for Salford, that the inhabitants of the former town expressed no desire to be represented, while Salford had expressed a strong wish on the subject. Both those arguments he was able to say, were unfounded. In the first place, Toxteth Park was under a distinct jurisdiction from Liverpool; and, in the second place, a memorial had long since been presented to Government by the inhabitants of that place, praying Representation.

Mr. *Trevor* said, that the southern division of the county of Durham had not got a fair share in the Representation, and that was his chief reason for pressing the claim of Stockton-on-Tees. He considered Ministers had, in many instances, made a most unfortunate selection of places on which to bestow the franchise. Even admitting that the towns the noble Lord had enumerated, were superior in population to Stockton-on-Tees, still the latter deserved more consideration from the great interest connected with it. There could be no comparison between these and the petty interests of the keepers of circulating libraries and venders of oranges and lemonade at Cheltenham and Brighton.

Mr. *Lowther*, as resident in the neighbourhood of Stockton, begged to bear his testimony to the respectability of the parties who had signed the petition presented by the member for the city of Durham, and to speak to the trade and importance of that town; but certain rules having been laid down by Government as to the amount of the population necessary for the formation of new constituencies, and the county of Durham having already received more than its due share of Representation under the new Bill, he entreated the hon. Member to consult the feeling of the House, and not to press his Motion to a division. He had already fully discharged his duty towards those who had intrusted him with their petition.

Sir *Charles Wetherell* also recommended his hon. friend not to divide.

Motion negatived.

Ashton-under-line, and Bury (Lancashire), were included in schedule D.

On the question that Chatham (Kent) stand part of the schedule,

Mr. *Croker* was of opinion, that the parish of Gillingham should be included in the borough of Chatham. The latter place had a population of about 19,000; and the former about 14,000, making a total of 33,000, and, considering the importance of the interests connected with these places, Chatham ought to have had two Members allotted to it.

Lord *John Russell* thought the observations of the right hon. Gentleman would come in more conveniently when the Boundary Bill was under discussion. He understood that Gillingham was a mile from Chatham.

Mr. *Croker* could assure the noble Lord that Gillingham was not above a furlong from Chatham; but, even if it had been a mile, that could be no objection, for they had allowed places much further apart to be connected in the return of Members, such as Sedgely with Wolverhampton; Tynemouth and North Shields; Stoke-upon-Trent and the places joined with it. He did not find fault with these places being joined, but he did complain of the want of method or principle by which, according to caprice apparently, some distant places were united, and other contiguous places disjoined.

Lord *John Russell* said, that the hon. Gentleman ought to know that they had resorted to population chiefly as the rule of enfranchisement, and had taken the criterion of assessed taxes chiefly for the purpose of disfranchisement, and that the boundaries of places had been selected from local knowledge and other circumstances.

Mr. *Croker* said, this was the first time he had heard this distinctly avowed, and an extraordinary rule it was, they were, it seemed, to take comparative wealth to disfranchise, and comparative population to enfranchise, and both were to be regulated by a boundary drawn to serve particular purposes.

Lord *Althorp* said, the assessed taxes could not form a test of the importance of great manufacturing towns.

Mr. *Goulburn* said, that upon this principle Dartmouth was unfairly dealt with.

Mr. *Croker* complained, that the noble Lord went over the country with his rule and compasses, and threw them into the Thames when he came to the new boroughs.

Sir *Charles Wetherell* said, this was the first time he understood that a different rule was to be applied to the new and the old boroughs. It was unfair not to have stated before, the principle of enfranchisement in this schedule. It was a system of caprice, uncertainty, and injustice. The House and the public were treated with great contempt in not having been previously informed of this new element. It was a departure from the principle acted upon in other cases. His Majesty's Government seemed to have gone with Lieutenant Drummond until he got down to Chatham, and then they put stones in his pocket, and sunk him.

The question agreed to.

Mr. *Croker* observed, that the Committee had now agreed unanimously to a Resolution which had been rejected last year by a large majority.

The next question was, that Cheltenham, Gloucestershire, stand part of schedule D,

Lord *Granville Somerset* said, there were some manufacturing towns more worthy of Representation than Cheltenham. He thought, at least, that the district newly built upon, which was called Pittsfield, should have been included in the borough.

Lord *John Russell* understood, the whole of the town was included.

Mr. *Estcourt* observed, the most important part of the town of Cheltenham, that in which the baths stood, was not included in the borough.

Captain *Berkeley* said, not one-tenth part of the houses in the portion of the town alluded to, were inhabited.

Mr. *Croker* said, that was no reason. In Brighton, houses not yet built were included. He thought the Master of the Ceremonies should be the returning officer.

Cheltenham placed in schedule D.

On the question that Dudley, Worcestershire, stand part of schedule D,

Mr. *Croker* said, that he had some observations to make with reference to the enfranchisement of Dudley; but it being, in his opinion, more convenient to make them under the head of Staffordshire, he would postpone them until the question of the enfranchisement of Walsall, in that county, came before the House.

Dudley was placed in schedule D.

On the question that Frome, Somersetshire, stand part of schedule D,

Mr. *Croker* inquired why the whole parish of Frome had not been included within the limits of the borough.

Lord *John Russell* said, that the great extent of the parish was the reason why the whole of it had not been included, it had a circumference of between fifty and sixty miles.

Mr. *Croker* asserted, that the case of Frome was inconsistent with the professed principles of the Bill.

Mr. *Littleton* said, the constituency of the town could not be extended without injuring the constituency of the county.

Mr. *Croker* said, this was the first time he heard that boroughs were to be cut and carved to adapt them to the constituency of the county. He would take an opportunity of mentioning some remarkable instances in which the town Representation was extended to the county.

Motion agreed to.

On the question that Gateshead, Durham, stand part of schedule D,

Colonel *Wood* said, he had given notice that he proposed to move an Amendment on this question, which was, to substitute another place, Merthyr Tydvil in the schedule, to the exclusion of Gateshead, which he considered, a place of minor importance. He was sorry there was so thin an attendance of Members, because the parties whose case he was about to represent would think that their interests were not duly considered. It appeared to him that Gateshead had very little claim to representation. But he would first submit to the House the claims of Merthyr Tydvil. The petition which he had presented from that town contained the following particulars and he had every reason to believe the whole of the allegations were substantially correct. The town of Merthyr Tydvil contained a population of 22,083 persons, and had 4,367 houses, and 674 occupants of houses of the annual value of 10*l.* and upwards; containing within its own limits four of the largest iron works in the British dominions, with no less than thirty-three blast furnaces; it was also situated in the centre of a district in which more than one-third part of the iron made in Great Britain was produced, and in which no less than 100,000 persons resided. With these claims to Representation the inhabitants were unable to understand the principle upon which Merthyr Tydvil was excluded from schedule D, while so many places of inferior relative importance were admitted into it. They stated, that according to the principle adopted by Lieutenant Drummond, Merthyr Tydvil was higher in the scale than Bury, Kidderminster, Whitehaven, Walsall, Kendal, Frome, Gateshead, Ashton-under-Line, South Shields, and Whitby. They likewise stated, that if their claim to a Representative were to be decided by the amount of the population, they would also stand in an equally advantageous situation with respect to the boroughs which he had just named. They said the amount of their population was 22,083, and that the amount of population in those boroughs was in every case much below 20,000. They felt more deeply the injustice of being deprived of a Representative when they contrasted their situation with other places to which Representatives were now for the first time given. In the Staffordshire iron district it was proposed to give to Birmingham two Members, to Wolverhampton two Members, to Dudley, situate only six miles from Wolverhampton, one Member, and to Walsall, also situated about six miles, one Member; so that in a circle of which the radius was thirteen miles, there would be six members returned from places connected with the Staffordshire iron trade, besides the two Members for the county. He might therefore have proposed to have transferred the Members assigned to Walsall from that place to Merthyr Tydvil; but if he had made such a proposition, he should have laid himself open to the accusation that he was making it in that spirit of rivalry which existed between the Staffordshire iron trade and the South Wales iron trade. He had, therefore, determined to select some place, between which and Merthyr Tydvil no rivalry existed; and, in looking for such a place, his attention had been directed to the striking injustice with which his constituents had been treated in comparison with the inhabitants of the coal districts in the north of England. His constituents had, therefore, stated in their petition, that Newcastle now returned two Members,—that the city of Durham returned two Members—that Sunderland was to return two Members—that Gateshead, divided from Newcastle only by the river Tyne, was to return one Member—that Tynemouth, only seven miles distant from Newcastle, was to return one Member—and that South Shields, divided from North Shields by the Tyne, was also to return one Member. There were thus within a circle, drawn with a radius of twelve miles, not less than nine borough Representatives connected with the northern coal trade, in addition to the four Knights of the Shire for Durham and Northumberland respectively. The petitioners complained of this great accumulation of Members in one district, whilst Merthyr Tydvil and its mineral district was left without a Representative. For these reasons he submitted that Gateshead ought to be erased out of this schedule, and that Merthyr Tydvil ought to be inserted in its place. He was perfectly aware that, in schedule E it was proposed that Cowbridge, Merthyr Tydvil, Aberdare, and Llantrissent should have a share with Cardiff in the election of a member; but his constituents deprecated this union, because Cardiff was distant twenty-five miles, Llantrissent nineteen, and Cowbridge thirty miles from Merthyr Tydvil, and had none of them any community of interest with it. They, therefore, humbly but firmly, claimed, through him, that share in the Representation to which their population, important commercial interests, and relative importance, in strict justice and equity entitled them, namely, the privilege of sending one Member to Parliament without being annexed to any other place. He had no wish to deprive Gateshead of the elective franchise, and he would, therefore, point out two modes by which his object could be obtained, without doing that injury to Gateshead. In the instructions addressed to the Boundary Commissioners, he found this passage: "Plans on a large scale will be furnished to you, on which you will direct your surveyors carefully to insert the boundaries of the old borough, and to mark the limits ascribed by you to the town. In some few cases the abrupt termination of the streets will point out the indisputable limit of the town, while in others, straggling and detached houses, extending to a considerable distance, and approaching, perhaps, some adjacent village, may render it difficult to say where the exact limits should be fixed. Under such circumstances it is impossible to lay down any very precise rules for your proceedings. Continuous portions of streets, though forming a town known under a different name, a town or village separated by a river from the borough, but connected by a bridge, with the houses on both sides extending to the river, should be included." If they looked to the plan of Gateshead, this description coincided with its relative locality with Newcastle. According to the present arrangement, the boundary line was made to cross the Tyne; and, after descending to a considerable distance, recrossed it. That was most extraordinary; and he should certainly have thought that the natural line would be, to descend on the right bank, and to include Gateshead in Newcastle, of which place, in fact, it was a mere suburb, as its name implied. But if including these two places was objectionable, there was another mode by which Gateshead could be joined to South Shields. In another part of the instructions he found this paragraph: "The number of boroughs with which places are to be included is small, and they differ from the associated places in Wales, by being either in the immediate vicinity of the old boroughs, such as Penryn, Deal, and Walmer, or in immediate contact with it, like Chatham, Portsea, and Sculcoates. In the latter cases, the new boundary must, of course, be continuous, in the former it need not be so." Gateshead might be brought within this instruction; it would give rise to the additional advantage of forming a distinct boundary for each, as the places were only six miles distant from each other, and might be said to be united, to a certain extent, by a community of interests. He must call the attention of the Committee once more to the state of Merthyr Tydvil. Its inhabitants were a hardy, laborious, and industrious race of people. They were not like manufacturing labourers, confined all day to factories, and spending their nights in political clubs and pothouses. They were a fine gigantic race of people, the absolute cyclops of the present age; they stood before their blast furnaces for twelve hours at a time, one gang working from six in the morning till six at night, and the other from six at night till six in the morning, taking the night and day work alternately, week by week. Having stated these claims, which, he considered, were ample proof of the relative superiority of the place over the others, with which he had contrasted it, he must beg leave shortly to allude to the unfortunate transactions which had taken place at Merthyr Tydvil last spring; and he trusted that circumstances had since occurred, which would make a favourable impression on the House. The same excitement prevailed in this place which was generally felt at that time, and a collision took place between the military and the inhabitants, in which, several of the latter lost their lives. When this became known, delegates from the Political Unions of other places were despatched to Merthyr Tydvil, to form Political Unions there, which they effected under the guise of settling the differences between the masters and operatives, which had been the cause of the unfortunate contest between the population and the military. Some of the masters, however, set their faces against these unions, and their efforts being assisted by the Calvinistic Methodists, a powerful and influential body of dissenters, who strenuously exerted themselves to induce their members to abandon those societies, by their joint efforts they fortunately succeeded in breaking up the whole of these dangerous combinations. The Political Unions at Merthyr Tydvil had accordingly ceased to exist. He, therefore, hoped, that, as the inhabitants of this great manufacturing district had set the example of abandoning these associations, that circumstance would operate in their favour in the minds of the Committee. It was upon these grounds that he felt called upon to move that "Gateshead, Durham, be struck out of schedule D, and, Merthyr Tydvil, Glamorganshire," be inserted in its stead.

Lord *Patrick Stuart* said, that though he was a supporter of this Bill generally, yet he must be allowed to dissent from it in this particular, as he could not help thinking that the towns of Cardiff and Merthyr Tydvil had a right to complain that Ministers had shown greater favour to the coal towns in the north of England than they had extended to them. The only ground that had been alleged for this partiality, was, that Merthyr Tydvil was in the principality of Wales, and he, as one of the Welsh Members, could by no means admit the justice of that doctrine. He was prepared to assert, that Wales ought in every respect to be placed on the same footing as England, and, in fact, the new arrangements with respect to the Welsh judicature, had entirely done away with all distinctions between the two. So that the counties of Glamorgan and Monmouth ought to be treated in a precisely similar manner to Norfolk or Cornwall. It might, perhaps, be said, that the system of contributory boroughs had hitherto prevailed in Wales, and that, therefore, there was no hardship in continuing the practice, but there were five out of the twelve which had never been contributory, and, therefore, this argument could not be set up on general grounds; and, even if it were so settled a hundred years since, that was no rule now, for the same argument would apply against all measures of alteration or improvement, and would equally make against the present Bill in all its great and leading principles. On these grounds he would contend, the rule laid down by the Bill ought to be extended to Wales, and he claimed its application to the borough of Cardiff, which he had the honour to represent. Both Cardiff and Merthyr Tydvil were equally averse to being annexed together in the Representative system. They maintained that they were each entitled to a separate Member. His constituents, the inhabitants of Cardiff, were better entitled to return one Member than the inhabitants of Morpeth. Upon the principle of Lieutenant Drummond, Morpeth would stand 4,774 on the list, and Cardiff would stand 5,025, or with the auxiliary places of Cowbridge and Llantrissent, 6,682. Besides, Cardiff, which was the county town of Glamorganshire, was itself a rising town. Ten years ago, the export of coal from Cardiff was only 21,000 tons annually; now it was 93,000 tons. It had sent a Representative to Parliament for the last 300 years, and had never been convicted in all that time of any abuse of the privileges it enjoyed. It would, therefore, be anything but justice to swamp its constituency by that of Merthyr Tydvil. He thought that the town of Merthyr Tydvil was of greater importance than the town of Gateshead. Had schedule B been retained in the present Bill to the same extent as it was in the last Bill—as he could have wished it—each of these places might have returned a Representative to Parliament without difficulty; and, even at present, they were fully entitled to this right. It might be alleged that Glamorganshire was to receive an additional Member, but that was no answer to the claim for Merthyr Tydvil. That county obtained this privilege because it was justly entitled to it on its own account. As he was compelled by the present form of the Bill to choose between Merthyr Tydvil and Gateshead, he should give his vote in favour of Merthyr Tydvil.

Mr. *John Hodgson* said, he felt bound to support the claims of Gateshead to a share in the Representation, as superior to those of Merthyr Tydvil, from the circumstances connected with its situation, independent of its own distinct claims. If Gateshead were left without a Representative, the county of Durham would be deprived of its just share in the Representation. One Member to every 25,000 persons was the present average throughout England. Supposing Gateshead to retain a Member, the proportion of Members to the population in the county of Durham would be one to every 26,000; supposing Gateshead to lose it, it would be one in every 28,000. If Merthyr Tydvil had claims to Representation at the expense of some place in schedule D, there was no reason for fixing upon Gateshead. There were four boroughs in that schedule which contained a smaller population and three which paid a less amount of assessed taxes; for these reasons, as well as for the sake of the important commercial interests of Gateshead, he should support the original proposition.

Mr. *Keith Douglas* did not consider that Gateshead required a separate Representation, as it had no interest distinct from that of Newcastle, of which it was only a miserable suburb. He should vote, therefore, that Gatseshead be excluded.

Mr. *Jephson* thought, that Gateshead and Merthyr Tydvil were each of them entitled to have a Representative. He likewise thought that Merthyr Tydvil and Cardiff ought not to be united. He should vote in favour of Gateshead retaining its place in schedule D; and if any hon. Member should think proper to move that Cardiff and Merthyr Tydvil should each be entitled to return one Member, he would have great pleasure in supporting that motion.

Mr. *Rigby Wason* had voted for the addition of one Member to Gateshead, as proposed by the last Bill, but the circumstances under which the present question was brought before them widely differed from those under which a Member was to be bestowed on that place last Session, inasmuch as there were then thirty spare Members for towns which had claims to be represented. He did not think, that Gateshead, which might be efficiently blended in the Representation of Newcastle, was of sufficient importance, in the present circumstances of the case, to warrant Ministers in persisting in giving it an additional Member, to the utter exclusion of the claims which Merthyr Tydvil possessed.

Sir *Adolphus Dalrymple* said, that, in his opinion, the claims of Merthyr Tydvil to Representation were far superior to those of Gateshead, which might be equally well represented by the members for Newcastle; for there was not one single commercial interest in Gateshead which did not exist in Newcastle, and which could not be represented by the same Member, in the same way that the interests of South Shields were represented by the member for Sunderland. What was called the town of Gateshead was part of and one of the suburbs of the town of Newcastle, and as such he should be glad to know if the freemen of the latter town, resident in the former, were to be entitled to vote for Members returned for Newcastle? He could not imagine on what principle it was, that the county town of Westmoreland (Appleby) was, by the provisions of this Bill, to give way to Gateshead. There, however, seemed to exist a great anxiety on the part of the Government to break down the old to make way for new interests.

Sir *Hedworth Williamson* said, that the town of Gateshead came fully within the principle of this Bill and, as such, he would support the vote for giving to it a separate Member. The interests of Gateshead and Newcastle were essentially different, although the towns were contiguous to each other. The ideas of some hon. Members with respect to the town of Gateshead seemed to have been hastily taken up, from the observations which they had an opportunity of making whilst passing through that place to Edinburgh. If those hon. Members were correctly informed on the subject of that town they would think, as he did, that it eminently deserved a separate Representation. If Gateshead was joined to South Shields, they ought to be included in schedule C. Then why not give them each a separate Member? Gateshead had superior claims to Merthyr Tydvil, and, therefore, should be preferred to it.

Lord *Granville Somerset* said, that Ministers were wholly inconsistent in their principles and arguments. They defended one anomaly by another, and laid down principles in an arbitrary manner to which they asked the assent of the House as arbitrarily. Hon. Members were merely told that such boroughs were to be enfranchised, and that others were to be disfranchised; and yet nothing was offered in the shape of argument to support the principle on which this was to be accomplished. He maintained that to no town which possessed 22,000 inhabitants and upwards had one Member been refused with the exception of Merthyr Tydvil. That refusal was defended on account of the place being in Wales. There was no county in England so much favoured as Durham, unless it was Cumberland, and he, therefore, objected to giving a Member to Gateshead. He claimed particularly a Member for Merthyr Tydvil, because Glamorganshire was less represented by one-third than the county of Durham. Even if the hon. and gallant Member's Motion was carried, the Representation of Glamorganshire would by no means equa that of Durham. If a progressive increase in population and wealth formed any claims whereon to establish a demand for Representation, the county of Glamorgan possessed them in even a superior degree to that of Durham. He would prove to the House, if they would favour him by listening to the particulars connected with each, the extreme favour with which certain counties had been treated by this measure. Glamorganshire had a population of 126,000, and four Members—being at the rate of one Member to every 31,653 souls. Durham had a population of 253,000, and ten Members—being at the rate of one Member to every 25,000 souls. Northumberland had a population of 222,000, and ten Members—affording a proportion of 22,000 souls for each Member. Cumberland had a population of 169,000 souls and nine Members—being a proportion of 18,800 for each Member. The advantage which Northumberland, Cumberland, and Durham, had by this arrangement, over Glamorganshire was evident. Glamorganshire had, at present, two Members, and was to have four. Durham had at present four, and was to have ten. The fair increase, as regarded the population of the two counties, would have been, for Glamorganshire to have had assigned to it five Representatives, and Durham nine. Perhaps it might be said, that Monmouthshire, the neighbouring county to Glamorganshire, and having similar interests, was so amply provided with Members as to be able to guard against the power of the northern counties; but both counties together had a less proportionate number of Representatives than Durham or Northumberland. He would now take another view of the subject, and look to the divisions proposed by the Boundary Bill, which appeared to him most extraordinary. The county of Durham was divided into North and South. In the northern division, an agricultural population, amounting to 75,100, was to have two Members; and a town population of 17,100 souls (in which that of Gateshead was included). But putting the two elements of the calculation together, there appeared in this northern division to be one Member for every 21,000 souls, while in Glamorganshire there was only one to every 31,000 souls, being a proportion of one-third less in the latter case than in the former. If five Members were given to Glamorganshire, it would give one Member for every 25,000 souls. It was true, that if the member for Gateshead was taken away, it left the whole county of Durham with one Member for every 28,000 souls; but the northern division alone, in which Gateshead was situated, would be found to have one Member for every 23,000 souls. He thought these details were sufficient to show, that, as far as the principle of population was concerned, Glamorganshire had a fair title to another Member, instead of Gateshead. He would now proceed to some other principles connected with those on which the Bill professed to be founded, and he would again refer to the population returns to prove, that Glamorganshire had increased twenty-four per cent, and Durham only twenty-two per cent in the last ten years; and that, in the ten previous years, it had increased nineteen per cent, whilst Durham had increased only seventeen per cent. Glamorganshire, therefore, appeared to be the more rising county of the two. If Monmouthshire were taken into the account, this comparative view would show greatly to the advantage of the two Welch counties. To pass from this topic to the places in England which were to have two Members each:—Blackburn had a population of 27,000; Bradford, 34,000; Halifax, 30,000; Macclesfield, 30,000; and Oldham, 32,000; whilst Merthyr Tydvil, with a population of 22,000, was to have only the sixth part of a Member; and he had reason to believe, that as the constituency at present stood, if Cardiff and the other boroughs to which it was joined chose to combine together, Merthyr Tydvil would be completely overpowered in elections. When the case of Chatham was under consideration the noble Lord could not think of adding Gillingham to it, because, as he declared, it was actually one mile distant from Chatham; but he had no hesitation in joining Cardiff with Merthyr Tydvil, although they were twenty-five miles apart. Again, why was Deal annexed to Sandwich, although they were seven miles apart, to save its two Members, when neither of those places separately, or both of them together, were equal in importance to Merthyr Tydvil alone? He could not perceive how, even upon the principles of English justice professed by the supporters of the Bill, such inconsistent conduct could be expected to satisfy Wales. He would next refer to a number of towns which were to return each one Member, and had about the same amount of population as, or even less, than Merthyr Tydvil. Gateshead had 15,000 inhabitants; South Shields, 18,000: Tynemouth and North Shields, 25,000; Whitby 10,000. If it were not that the county of York had been rather hardly dealt with in the Reform Bill, the case of Whitby, with 10,000 inhabitants, might be well placed against Merthyr Tydvil, with its 24,000 inhabitants, but he let it pass on that account. Whitehaven had 11,600 inhabitants; Ashton-under-Line, 15,000; Frome, 12,000; and Walsall and neighbourhood, 15,000. Furthermore, the Isle of Wight, which contained 35,000 inhabitants, was to have three Members; while Merthyr Tydvil, with 22,000 inhabitants, was to have but one-sixth part of a Member. Merthyr Tydvil was as superior to all the places he had named in the other principles of Representation which had been assumed as it was in population. In the time of Edward 4th Gateshead was united to Newcastle. Why it was disfranchised he knew not; but it was sufficient for him to show, as he thought he had fully done, that Merthyr Tydvil had a stronger claim to a Member than Gateshead, he must, therefore, contend, that the latter ought to be struck out of schedule D. Wales ought to have the same justice dealt to her as was administered to England. He entreated the Committee, as Merthyr Tydvil stood alone, and could not otherwise gain a Representative, not to commit so great an inconsistency as to refuse it a Member in preference to Gateshead.

Lord *John Russell* expected, that the noble Lord would have laid down some better rule than that adopted by Ministers, when he reproached them with following a varied rule. The noble Lord, however, to make out his case, had referred to some boroughs, which, he thought, ought to be disfranchised. Did the noble Lord, then, wish to extend disfranchisement? He had never before known that the noble Lord was an advocate for that principle, but when he thought proper to bring forward any proposition of that kind, the noble Lord would not find him backward in supporting his Motion. According to the noble Lord's own showing, there were other towns, with a smaller population than Gateshead, such as Whitby, which, he said, ought not to have had Members allotted to them; and, as the whole of his argument was based upon the ground of comparative importance, had he been consistent, he would have moved, that Merthyr Tydvil should have been substituted for that place, which was the smallest in schedule D. But here the noble Lord made an exception to his own rule, and, for reasons of his own, passed over that place, and selected Gateshead to be disfranchised, although he had admitted, that Whitby was a place of less consequence. With respect to Gateshead, he must observe, that it was an increasing town, separate and distinct from Newcastle, containing 15,000 inhabitants, and ought to have a Member, though not at the expense of any other place. There was no pretence for uniting it to Newcastle or Shields, any more than to unite Chatham with Rochester, or Salford with Manchester. If the noble Lord were to carry the general principles which he had propounded into effect, in the principality, he must disfranchise a number of the old and small boroughs in Wales. Ministers had not proceeded to that extent, as they found that it would be more satisfactory to the inhabitants of the principality to preserve their old boroughs, they had accordingly retained them. They found one of these close to Merthyr Tydvil, and they thought it was quite consistent with the principles of Representation which already existed in Wales to unite Merthyr Tydvil with that borough. It would have been more handsome of the noble Lord, if he had offered to resign the third Member which Monmouth had received, and give him to Merthyr Tydvil, instead of taking one from Gateshead. It was said, that Durham was better represented than any other county. But how was this proved? Certainly, not by the population returns, for Wiltshire had one Member for 13,000 inhabitants; Sussex, one for 15,000; Southampton, one for 19,000; Dorset, one for 11,000; Bucks, one for 13,000; Hereford, one for 15,000; Huntingdon, one for 13,000, and Rutland, one for between 9,000 and 10,000; while Durham had one for every 25,000 only. By these statements it appeared, that the southern counties had a great advantage in point of comparative Representation. They had obtained this, in the first instance, because they were rich and populous, and the counties in the north were then neglected, because they were poor. Now, the counties of the north were become also rich and flourishing, and, therefore, they were to have something like a due proportion of the Representation. A right hon. Baronet (Sir Robert Peel), in a former debate, drew a line betwixt the north and south, and endeavoured to show, that the latter had been sacrificed. He had since examined that calculation, and he found, that, in the south, the proportion of Representation would be as one Member to 22,000, while, in the north, there would be one to 28,000 or 29,000. It would be perceived by the returns he had quoted, that Durham had, by this arrangement, no more than one Representative in 25,000; and he would, therefore, conclude by declaring that, in his opinion, the share it possessed in the aggregate Representation of the country, was only meeted out in a just proportion to its contribution to the strength, revenue, and welfare of the empire at large.

Sir *Robert Peel* said, he was always happy to be invited to the field of argument by the noble Lord, though he must say, that the noble Lord's present answer to an argument of his made last Session was somewhat tardy, and not quite appropriate to the question before the Committee. He was anxious to bring the question at issue within the smallest possible compass, and he should, therefore, confine himself to but one test of the solidity of the noble Lord's reasoning, on which he preferred giving a Member to Gateshead, instead of Merthyr Tydvil. He would take as his test the town of Toxteth Park, and he believed he should be able to show the noble Lord, that, according to his own argument, and according to the principles of the Bill, Toxteth Park was better entitled to a Member than Gateshead. He would first take the relative amount of population in the two counties in which those places were respectively situate—Lancashire and Durham. The county of Durham, with a population of 253,000, had four Members, and the county of Lancaster, with a population of 1,335,000, was to have only four Members. Why, even throwing away the million, still Lancashire was not so fully represented as Durham, for it would then have 80,000 people more than Durham; and, if any argument could be drawn in favour of the Representation of one town in preference to another, on account of the state of the County Representation, the argument was clearly in favour of Toxteth Park. But, to consider the question with reference to the relative importance and claims of the two places themselves, the hon. member for Liverpool had, in a former discussion, stated, that the people of Toxteth Park were not at all anxious to have a separate Representative, or to be severed from political connexion with the town of Liverpool. Now, he held in his hand the copy of a letter, addressed to the Secretary for the Home Department by the chairman of a public meeting held at Toxteth Park, in which an urgent claim was preferred for one Member in the distribution of the Representation. Having said so much with respect to the wishes of the people of Toxteth-park, he was also enabled to add, that they were not in the same parish with Liverpool, and that the Magistrates of Liverpool exercised no jurisdiction in any part of the town. He had thus disposed of the three objections mainly relied on, namely, the absence of any wish on the part of Toxteth Park, and the two allegations—first, of its being a part of the Parish of Liverpool—and, secondly, of its being included within the jurisdiction of the Liverpool Magistrates. He would now proceed to consider the comparative claims of Toxteth Park and Gateshead, premising that Liverpool, with which it was proposed to leave Toxteth Park connected, had only two Members for 165,000 persons, while Newcastle, from which they wished to separate Gateshead, had two Members for 42,000. What, in the first place, was the relative value of property in Gateshead and Newcastle? By the returns of 1815, the annual value of the real property of Gateshead was 25,000*l.* per annum; of Toxteth Park, in the same year, it was 27,000*l.* The returns of last year, however, from Toxteth Park showed the enormous increase from that sum to 94,000*l.* The population of Gateshead was 15,177; that of Toxteth Park, 24,000. But then it was said, that the progress which population and wealth were making were most important elements in considering to what new places Members should be given. That was true; but the more important were those elements, the more favourable did the case become for Toxteth Park; for, if ever there was a place in which population and wealth were increasing with wonderful rapidity, that place was Toxteth Park. According to the population returns, the people of Gateshead amounted, in 1801, to 8,600; in 1811, to 8,752; in 1821, to 11,800; in 1831, to 15,177. The progress in Toxteth Park was as follows: in 1801, 2,069; in 1811, 5,864; in 1821, 12,829; in 1831, 24,000; thus doubling itself with giant strides in every succeeding return. It had, at the present time, 2,617 houses of 10*l.* a-year value and upwards. He could add but little to a statement of this kind in the way of argument. It was, he thought, most important, that, in distributing the Representation, they should draw a distinction between places which were nearly stationary, or increasing slowly, and those which were increasing with the rapidity of Toxteth Park. He had shown, that that place was not a part of Liverpool, and he believed its interests to be at least as distinct from those of Liverpool as were the interests of Gateshead from those of Newcastle. He must, therefore, contend, that, if there was any truth in figures, or if any conclusions could be drawn from plain statements of facts, Toxteth Park was entitled to a Member in preference to Gateshead.

Mr. *Ewart* admitted, that he had not been aware of the fact of the public meeting being held at Toxteth, and that the inhabitants were so anxious to have a Representative; but this he would say, that, admitting Toxteth to have 24,000 people, how were they, if they gave it one Member, to pass over the claims of the 170,000 inhabitants of the other suburbs of Liverpool? Certainly they also would expect to be specifically represented. Those who called for a Representative for Toxteth Park certainly acted inconsistently, when they refused to give additional Members for the districts of London.

Lord *Althorp* allowed, that the right hon. Baronet's statements might show good reason for giving a Representative to Toxteth, but none for refusing to enfranchise Gateshead. He did not consider himself bound, on this occasion, to argue the question relating to Toxteth Park. Ministers had looked to Gateshead as a place worthy of standing by itself, and, therefore, they had thought it right to propose, that it should have its own separate Member, and they dealt with it, with Chatham, and with Salford, in a similar manner. The right hon. Baronet's argument applied rather to the small towns in schedule B than to Gateshead in particular, and, therefore, was inconclusive.

Mr. *Labouchere* felt strongly that the real objects of the Bill for the Reform of the Representation of that House would be best accomplished and secured by granting the right of Representation to the town of Merthyr Tydvil, as the more important place upon which their election could in justice alight. In making this statement of his views, as respected that great centre of a peculiar branch of industrious wealth, he would also say, that it would seem better in his mind, that Gateshead should be included within the constituency of Newcastle, with which it was so intimately connected, that the union of the two places could not possibly be considered a deprivation of the right to Gateshead. He had, in this instance, for the first time since the Reform question was before them, separated in opinion from his Majesty's Ministers, nor would he have given his vote thus to-night, but that he considered he was in justice bound to dissent from the view they had taken of the question. Indeed, it was impossible for him, looking to the state of the Representation for South Wales and for the county of Durham, that he could for a minute hesitate as to giving a separate Representation to Merthyr Tydvil, in preference to Gateshead.

Sir *Matthew White Ridley* said that Gateshead was wholly and entirely distinct from Newcastle. It had a local Magistracy—it possessed a very numerous and increasing population, and contained important manufactories, connected with the glass and iron trades. These were all distinct elements of Representation, and there were several places in schedule D that did not possess these advantages to such an extent as Gateshead. To this he would add, that it had different interests from Newcastle, and the same Members could not, therefore, represent both with propriety.

Sir *Richard Vyvyan* said, the question was, whether Gateshead should be considered as part of Newcastle, and so be represented by his hon. friend opposite (Sir M. W. Ridley), and a Member given to another place, or whether it should have a Representative of its own. He certainly was in favour of withdrawing the Member from Gateshead, and placing the right elsewhere. He must remind the House, that, as in the making a choice, neither places being boroughs, they were not called on to interfere with vested rights, but with the Minister's caprice, who had not hesitated to disregard all the principles they had themselves laid down in regard to other places, turning their backs upon their favourite principle of extent of population, as well as upon the great manufacturing importance of the town of Merthyr Tydvil, as compared with the town of Gateshead. He confessed, that in his life he never heard any thing more clear and convincing than the argument of the right hon. Baronet this evening, as to the superiority of the claim of Toxteth over that of Gateshead. He congratulated the House and the country on the circumstance of the hon. Member for Taunton having evinced, though usually voting with Ministers, the firmness of mind to think for himself in this instance, and, in compliance with the dictates of his own good sense, resolve to vote against the proposition of the noble Lord. This was the way by which Members—and the oftener they were seen pursuing it the better—would ensure the confidence of the public, and respect even from opponents within those walls. For his own part, he could not see how it was possible to hesitate, when the question before them was simply, whether Gateshead or Merthyr Tydvil was entitled to have the benefit of a separate Representation?

Mr. *John Stanley* trusted, the House would bear with him while he stated a few reasons which had not been as yet urged in support of the Motion before the Committee. The case consisted of two distinct questions—the claim that Gateshead had to an independent Representation, or the propriety of excluding it in favour of Merthyr Tydvil. The latter question had been set at rest by the right hon. Baronet, the member for Tamworth, who had clearly proved, that if any place was entitled to additional Representation, it was Toxteth Park; so that the case might be argued solely with reference to Gateshead, and whether it was a place of sufficient importance of itself to entitle it to a separate Member. He must observe, that it was rather strange that some hon. Members should argue in favour of additional Members for large towns, when they must be elected by a constituency they, at other times, considered as revolutionary, and likely to return a description of Members hostile to the best interests of the community; it was as though they were to ask for more of that poison which they were accusing the Government of infusing into the Constitution of the country. If amount of population, diversity of interests, and incompatibility of an advantageous union, could be adduced in favour of Gateshead, it must be allowed, that it would be doing an act of injustice, if, for the sake of giving a Member to Merthyr, they were to despoil the town of Gateshead of its proposed Representative. There were six towns in schedule D inferior to it in amount of population, seven in assessed taxes, and seven in the number of 10*l.* houses. The House had already decided (and it was urged, particularly by Members opposite) that Chatham should have a separate Member from Rochester, yet the united population of these places was but 28,000; while Newcastle alone had 55,000, and Gateshead 15,000, making 70,000. Mention had been made of the town of Newcastle having, at a former period, had jurisdiction over Gateshead; that was true; and he would adduce that circumstance as one of the strongest grounds for claiming a separate Representation for Gateshead. In the reign of Edward 6th, when, as the House knew, the county of Durham had no Representatives in Parliament, and when there was a vacancy in the see of Durham, the Corporation of Newcastle succeeded in getting an Act of Parliament to secure to themselves the jurisdiction over Gateshead, depriving that place of its ancient rights and privileges; but this unholy union lasted only six months. In the 1st of Queen Mary, when a Bishop was appointed, he immediately procured the repeal of this unjust Act, and succeeded in restoring to Gateshead her usurped rights and liberties; but, from the absence of Representatives for the county of Durham, the Corporation of Newcastle were continually making attempts on their liberties, and oppressing them in every way that their power and position enabled them; and, even to this day, so great was the hostility of feeling, and opposition of interests, that every article of commerce and exchange that passed from Gateshead into Newcastle paid a toll to the Corporation of Newcastle; and it was attempted to depress and annoy Gateshead by every vexatious exercise of power that Newcastle possessed. The House had heard a great deal of the last number of Members allotted to the county of Durham, and yet the fact was, that there was but one county in England —Essex—that had a larger population and fewer Members, in proportion to its population, while there were eight with a smaller population, and as many Members; and the very object that hon. Gentlemen opposite were seeking was, to put the county of Glamorgan in a better situation than Durham. The transfer of Gateshead to Merthyr would give Glamorgan one Member to 25,000, and reduce Durham to one for 28,000, inhabitants; so that that proportion which they considered so monstrous and unfair with regard to Durham, they would readily allow when apportioned to Glamorgan, which proved the absurdity or dishonesty of their repeated attacks on the much maligned county of Durham. With how much more reason might any one complain of one Member being given to 11,000 in the Tory county of Dorset, or one to 13,000 in the county of Buckingham, and only one to 38,000 in the Whig county of Derby, or one to 25,000, as in Durham; but it would be tedious to pursue this part of the argument. It might be sufficient to observe, that the Representation of Wales rested upon an entirely different footing from that of England, and that, in every instance where towns of sufficient importance were found, it had always been the custom (not deviated from in a single instance in the present Bill) to unite them as contributory boroughs, as in Scotland; and the distance from one to another was of no more consequence in a large place like Merthyr than it was in small places like those in the other counties of Wales: and if Cardiff complained, she must remember that she would be much worse off, if left with her original contributory borough of Swansea, than when joined to Merthyr, with which she was so intimately connected in interests and communication. But whatever the merits of either Merthyr Tydvil, or Toxteth Park might be, those places ought to stand on their own deserts. There was no reason to commit an act of injustice to Gateshead, to secure justice, to those other places. They were now deciding on the claims that Gateshead had to a Representative, and if, as he before mentioned, population, diversity of interests, wealth, and respectability, entitled any place to the privilege of returning a separate Member to Parliament, that place was Gateshead; and he trusted, that even the hopes of securing another Member to a great and populous town in Wales, would not induce those Members, who, on a former occasion, decided that Gateshead was a fit place to send a Member to Parliament, now to come to a decision completely at variance with their former vote.

Mr. *Croker* said, the hon. Gentleman who had just addressed the House rested his argument principally on an appeal to the consistency of both sides of the House. He first of all addressed the Gentlemen on this side, and asked how it was possible that they, who could vote for Chatham, as they did last year, could this year vote against separating Newcastle from Gateshead; and then he turned round to his hon. friends on that side of the House, and said, " How can you be so inconsistent as to vote against Gateshead now, having voted for it last year." When the hon. Gentleman was accusing both sides of the House of this inconsistency, he himself fell into the greatest inconsistency of all; for, last year, he voted against the question of Chatham, and this evening he had supported it. He reserved all his arguments for his favourite case of Durham; but he ratified the case of Chatham by his vote, whether he took a part in the argument or not, and having done so, he thought he was the only man in that House who had a right to change his opinion. And yet, notwithstanding this, the hon. Gentleman appealed to his hon. friends, and said, " What! will you to-night vote for disfranchising Gateshead?" What would the hon. Gentleman say to the man who voted for the preservation of Aldborough last Session, and voted against it this; who voted for preserving Oakhampton last Session, and who condemned it now; who voted last Session for condemning Midhurst, and who now turned round and voted in its favour. The hon. Gentleman went to work with such surprising vigour, that he not only hit himself, but actually prostrated with his blows all his hon. friends. The hon. Member for Liverpool took upon himself to lecture his right hon. friend for having gone to the banks of the Mersey, when he ought to have remained on the banks of the Tyne. But did not the hon. Gentleman know that the question before the House related to the propriety of leaving out Gateshead, and that it was open to every Member, whose local knowledge enabled him to do so, to give the House information as to what other places had a superior claim to Representation. Was it an argument in favour of Gateshead, that twenty hon. Gentlemen could produce twenty different places which ought to stand before it. The hon. Gentleman who sat down last declared, that Gateshead was quite safe, for the right hon. Baronet, the Member for Tamworth, had completely killed Merthyr Tydvil, for he had adduced the case of Toxteth Park, the claims of which were so much greater, that Merthyr Tydvil was cast into the shade. So it might be as regarded Toxteth Park, but it remained in full brilliancy as regarded Gateshead. It might fall into the shade as compared with other places that were above it thousands in population and tens of thousands in importance. If an additional reason was required for not giving Gateshead Representation, it was to be found in those two cases which had been produced; " but no," the hon. Gentleman said, " you have destroyed your own argument; if you had adduced one case, Gateshead would have been safe; but if you bring forward two cases, they will spike one another, and Gateshead will escape while they are squabbling." Twenty places in England might be mentioned, which in any point of view—wealth, population, respectability, or any other consideration — had a decided superiority over Gateshead. The hon. member for Liverpool told his right hon. friend, that he had no right to adduce the case of Toxteth Park; and then the same hon. Gentleman upon whose authority the whole debate of the other night turned, and to whose supposed local information great deference was paid, was obliged to stand up and confess to the House, that his statements were incorrect, that his facts were mistakes. The hon. Gentleman said, he did not know that a meeting was held, and made his ignorance his excuse. But he ought not to have spoken on matters he was ignorant of. He had misled the House by stating, that the place was extra-parochial, he had stated, that Toxteth Park had made no appeal or claim for Representation. That declaration was received with cheers; nay, it even led the noble Lord, the Chancellor of the Exchequer, into an error; for although he undoubtedly had read all these papers, this point for once escaped his memory; and he thought he could not be mistaken if he trusted to the information of the Member for the place; but the Member for the place was wrong; he had stated that which was not the fact; he had said, that no application had been made to this House when there had been a meeting in Toxteth Park in May, 1831, and when that meeting had preferred its claim for Representation. And then when the hon. Gentleman was shown to have made this mistake, he said he hoped he might be excused, but in truth he had never heard of it. God forbid that he should for a moment charge the hon. member for Liverpool with stating that which he knew was not the fact. He firmly believed that he did not know it, and that was the very essence of the argument. Toxteth Park was so little connected with Liverpool, that he, the member for the town of Liverpool, had no idea of what was passing in Toxteth Park. He would take it which way he pleased; he did know nothing about it; the places were distant and different; and he was affecting to represent a place while he did not even know of the public meetings which were held in it. But, to come to the case of Gateshead: would the House now make a little tour with him, it would be a very short one; and yet they would see a good many boroughs. Setting out from Durham, which had two Members, they might proceed to Sunderland, a distance of twelve miles; this place had two Members also; then, proceeding to the town of South Shields, some half-mile further, and there was another new borough created. Crossing the river about two hundred yards, they would come to another created borough, with another Member. Seven miles more, and they would arrive at Newcastle, with two Members. The stone bridge over the river Tyne was all that was then between them and the created borough of Gateshead, being six boroughs within a circle of ten miles. Durham, Sunderland, South Shields, North Shields, Newcastle, and Gateshead. He would refer the House to the instructions given to his Majesty's Commissioners, which were so peculiarly applicable to the case of Gateshead, that one would almost think they were describing that very place, when they gave these instructions—"A continuous portion of streets, though forming a town under a different name; a town or a village separated by a river, but connected by a bridge with houses on both sides, extending to the river shall be included as one borough." This was the guide which was given to the Commissioners—this was the rule which they were to follow, and if there was any fault with it, it was this, that it did not give them an option in the case of Gateshead. They had not the opportunity of exercising a fair discretion, for they were so tied down, that they must have included, had they followed these instructions, Gateshead with Newcastle. But was this all? was there no other principle advanced by Ministers? Why, in the remarkable case of the metropolitan districts they brought forward another, and a very wise principle, which they had acted upon on several occasions, but which they had violated in this instance. They justified the creation of the metropolitan districts on account of the nearest rural borough; their first defence for Finsbury, and Marylebone, and Lambeth, and Southwark was, that Reigate, the nearest rural borough, was twenty-one miles off. The several boroughs nearest London, they said, were Reigate, St. Albans, Maidstone, Rochester, and so on, and they gave this to the House as a reason, and a very good reason, why Representation should not be conglomerated in particular places. But how had they acted upon this principle? In the eastern corner of the county of Durham they had assembled more boroughs than there were about the metropolis of this great empire. Much as had been said a few nights ago of the dangerous extent of metropolitan Representation, there was a greater number of boroughs connected with and created in the north-east corner of the county of Durham and its opposite shore—in Newcastle, North Shields, and South Shields—than in the whole circle of the Metropolis. Durham, as a county ,was to be divided into two parts; the northern part was to consist of the wards of Chester and Easington, and the southern parts of the wards of Darlington and Stockton. The northern part received two Members, the southern part obtained the same, but in addition the northern part got Gateshead, South Shields, and Sunderland. There were three boroughs created in the smaller district the northern part of that county, which gave it a preponderance of six, whereas the extensive southern division of the county was to have no Member whatsoever. Was this compatible with the principles which had been laid down, that Representation was not to be accumulated in one place, but that it was to be spread over different parts of the country? Was it to be borne that these boroughs were to be created in the ward of Chester, while the other three wards of the county were left without any addition whatsoever. Let the House compare this with the case of Toxteth Park. Liverpool was a very large town, and had two Members. If the metropolitan principle was applied to that town, which would be the nearest borough? Warrington sixteen miles off; the next, Chester, about seventeen or eighteen; the next Wigan, which was twenty-four miles from Liverpool. On what principle, then, was Toxteth Park refused a Member, while one was given to Gateshead? One hon. Gentleman had said that, the question now was, whether this Member was to be given to Merthyr Tydvil, and another said, that the question was, whether the Member was to be allowed to Toxteth Park. He denied both these propositions. The question was, whether Gateshead was to have it, in preference to either. On all the principles of this Bill, Merthyr Tydvil had a prior claim to Toxteth Park, because it was twenty seven miles from the nearest place for Representation; it was itself the capital of a great district; it was the seat of a large and thriving trade; it had interests peculiar to itself; and, therefore, it had a preferable claim to Toxteth Park. He should be prepared to show, when they again came to discuss the principle of the Bill, that there were many cases still stronger in the Bill on that point. He was sure he should be triumphant in argument, if not in numbers. He was not then discussing the principle of the Bill as he had done on the second reading, nor could he ever be an advocate for it; but he was then showing, as it was his business, that the principle laid down by Ministers had not been fairly acted upon.

Mr. *Ewart* observed, that the right hon. Gentleman had charged him with having mis-stated the opinion of the inhabitants of Toxteth Park. He denied that he had made any mis-statement on the subject. He had merely mentioned that the fact had not come to his knowledge until he had heard it stated by the right hon. Baronet. If, indeed, he had been inclined to indulge in mis-statements, he might easily have taken a lesson from the right hon. Gentleman himself; for who was there who was not acquainted with the singular accuracy of that right hon. Gentleman's historical statements, which were only to be equalled by the modesty with which they were delivered? He sought not to rival the right hon. Gentleman in his proverbial inaccuracy and tergiversation. He must, however, be permitted to state, that if the inhabitants of Toxteth Park expressed a desire of having a separate Representative, he would not only support them in such an object, but also the remaining inhabitants of Liverpool and its neighbourhood, in applying for a proportionate number of Representatives for themselves. Generally, however, he opposed any change in the Bill for which the most weighty reasons were not adduced, because if they once commenced with change, there was no knowing where it would stop; and he supported the Bill as a whole, because he thought that the speedy passing of such a measure was absolutely necessary for the salvation of the country.

Mr. *Croker* said, that the hon. Gentleman had said that he might take a lesson from him (Mr. Croker.) He should have one. It was this. What he had charged the hon. Gentleman with he had stated in a parliamentary way, fairly, openly, and without disguise. Had the hon. Gentleman done so by him? He begged to inform the hon. Gentleman that he laughed to scorn the mean and calumnious insinuations in which the hon. Gentleman had indulged towards him. Would the hon. Gentleman be pleased to tell him what action of his life—what word that might have fallen from him in his various addresses—what statement that he had ever made, that he could put his finger on, and venture to attack or contradict it? "When a man," continued the right hon. Gentleman, "has a bad case, he is always most ready and anxious to pick a quarrel." Now, though I am not one that has ever been desirous to do so, I beg to tell the hon. Gentleman that I shall be ready for him in whatever place he shall choose to quarrel with me" [*calls of order.*]

The *Chairman:* I put it to the good sense and parliamentary experience of the right hon. Gentleman, whether he thinks it worth his while to proceed in such a course as this?

Mr. *Croker:* You have put the thing in a way, Sir, that I cannot possibly resist your request. I quite agree with you that it is not worth my while to go on with this discussion.

Lord *Milton* observed, that the instructions given to the Commissioners on which the right hon. Gentleman had commented, were not intended for great towns like Gateshead and Newcastle, but were only applicable to small places bordering either on total or partial disfranchisement, consequently the observations made by the right hon. Gentleman only verified the old saying, that "a cunning man was sure to go on blundering."

Mr. *Croker:* I never saw any one look so like a cunning man as the noble Lord, when he made that observation.

Lord *Dudley Stuart* said, as he had formerly voted against Merthyr Tydvil, and now proposed to vote the contrary way, he was anxious to explain his reasons for altering his opinion. When the late Reform Bill was before the House, he did not think Glamorganshire had made out so strong a case as at present, and he considered the arrangement then proposed by which Cardiff and Merthyr Tydvil were to have one Member between them, and Swansea a Member to itself, was infinitely preferable to the old system: following out the same idea, he now thought it would be a still greater improvement if Merthyr Tydvil and Cardiff had separate Members. He had always entertained strong objections to the plan of contributory boroughs, as he held it impossible for a Member to duly represent several towns many miles apart, and which might have a great diversity of interests. In fact, it frequently happened that there was a considerable jealousy between places so circumstanced. The noble Lord, the Paymaster of the Forces, had said, that if they had followed the principles of the Bill strictly with regard to Wales, they would have been compelled to have disfranchised several small places. If that was held out as a threat, it had no weight with him; if there were places too inconsiderable to return a Member, he had no objection to their disfranchisement; his object was, to see great interests properly represented—therefore he was decidedly of opinion that Merthyr Tydvil ought to have a separate Member, but if the fixed marriage between that place and Cardiff must take place, then, he contended, they had a right to double Representation. There were several places in schedule C inferior in population to Merthyr Tydvil and Cardiff united, and as it had been declared, in the course of the evening, that the rule of enfranchisement was merely population, he might rest their claim on that element of Representation alone. He had, however, been at some pains to calculate their relative position according to the number of 10*l.* houses and assessed taxes, and he found that four places which were to receive two Members —Macclesfield, Bradford, Oldham, and Blackburn—were inferior to Merthyr Tydvil and Cardiff in that respect, as well as in population, while Halifax was rather superior in assessed taxes, but far inferior in population. It must, also, be recollected, that in the Bill of last Session all those places were in schedule D, but were now to have two Members. He thought the claim, therefore, of one for Merthyr Tydvil, or two, if it was united with Cardiff, indisputable; and although he had generally supported the Bill, and much wished to see its main principles adopted, that was no reason for agreeing with all its details, and, therefore, he most certainly should support the Amendment.

Lord *Sandon* said, that he had not been present during the greater part of this debate, having only just come into the House. As, however, he found that the claims of Toxteth Park to a Representative formed one of the topics of it, he begged to mention a curious circumstance connected with that subject, and it was this—that it was only this evening that he had received by post a petition adopted at a numerous and public meeting of the inhabitants of Toxteth Park, expressing their great regret that their memorial, which had been transmitted to the Home Office, had not been attended to, and that their wishes to have a Representative had been unavailing. He begged, at the same time, to say, that he thought Gateshead was already sufficiently well represented by its connexion with Newcastle, and that Merthyr Tydvil possessed much better claims to a Representative.

Mr. *Stanley* observed, that in the course of the debate, some expressions had fallen from hon. Members which, in a cooler moment, they could not fail to regret, and which, he doubted not, must have given pain to the whole House. His hon. friend, the member for Liverpool, had, in attempting to retort upon an accusation of inaccuracy, made against him by the right hon. Gentleman (Mr. Croker) used an expression—political tergiversation—which was calculated to give offence to the right hon. Gentleman. But he was quite confident that "tergiversation" was not the word his hon. friend intended to use. It was not at all applicable, and it might have been observed he (Mr. Ewart) paused for a moment before he used it, in search of some more appropriate word. In reply to his hon. friend, however, the right hon. Gentleman had used the expressions—"attempting to pick a quarrel," "mean and calumnious attacks," and the like—which were not in accordance with the courtesy observed in that House; and then, when the hon. Chairman had put to the right hon. Gentleman, whether it was worth his while to pursue a personal quarrel of this nature further, he had used the words—"it is not worth my while," with a tone and manner, and with a gesture which was certainly calculated to convey an impression of personal offence to his hon. friend. It would, accordingly, be a great satisfaction to the House if both hon. Members disclaimed the intention of giving personal offence.

Mr. *Ewart* confirmed what had fallen from his right hon. friend. He did not intend to offer any insult to the right hon. Gentleman, or to convey any ungenerous sentiment. He had used the word "tergiversation" unintentionally, and nothing could be further from him than any wish upon his part to hurt the right hon. Gentleman's feelings. He was sorry for the expression, and had not the intention of casting on the right hon. Gentleman a shadow of the imputation which it was supposed to convey.

Mr. *Croker* said, that the words to which his reply had been particularly addressed were, that "his inaccuracy had become proverbial." It was to that opinion he had directed his answer. But if the hon. Member did not mean any insinuation against him, his reply was uncalled for; and as there was nothing which it could meet, he had no hesitation in saying it fell to the ground. He had, also, no hesitation in saying, that he regretted that the hon. Member had not a little more clearly explained himself.

Mr. *Ewart* said, he had only intended to use "inaccuracy" in the same sense in which it had been previously applied to himself by the right hon. Gentleman.

Sir *Charles Wetherell* complained that the argument of the noble Lord had not been fairly applied to the question, but, as he saw the House was impatient, he would content himself by expressing his determination to support the Amendment that Merthyr Tydvil be substituted for Gateshead.

Mr. *Hunt* said, that according to his notions of Reform, every place containing 15,000 persons ought to have a Representative, but if the question laid between Merthyr Tydvil and Gateshead, then he must vote for the former, as it had the largest population.

Mr. *Baring* said, it should be recollected that Gateshead and Newcastle were not separate towns, for it was a fact, that a great number of the voters of Newcastle were resident in Gateshead. Besides this, the Bill allowed all present voters resident within seven miles of the respective towns to retain their franchise, and thus Gateshead would have an advantage, as the residents would have double votes.

Sir *Matthew White Ridley* said, that the hon. Gentleman was mistaken in stating that a large proportion of the Newcastle voters resided in Gateshead, for, out of 3,000 resident voters, there were not at present more than 200 living in Gateshead, and, amongst these, not more than ten were 10*l.* householders.

The Committee then divided on the Original Question: Ayes 214; Noes 167—Majority 47.—And Gateshead was afterwards ordered to stand part of schedule D.

List of the AYES.

ENGLAND.

Althorp, Viscount
Anson, Hon. Col.
Atherley, A.
Baillie, J. E.
Bainbridge, E. T.
Baring, F. T.
Barnett, C. J.
Bayntun, S. A.
Beaumont, T. W.
Benett, John
Bentinck, Lord G.
Berkeley, Captain
Blackney, W.
Blake, Sir F.
Blamire, W.
Blunt, Sir C.
Briscoe, J. I.
Brougham, J.
Brougham, W.
Buller, J. W.
Bulwer, E. E. L.
Burrell, Sir C.
Burton, H.
Byng, Sir J.
Byng, G.
Byng, G. S.

Calcraft, G. H.
Calley, T.
Calvert, C.
Carter, J. B.
Cavendish, Lord
Chaytor, W. R.
Chichester, J. P B.
Cockerell, Sir C.
Colborne, N. W. R.
Cradock, Colonel
Crampton, P. C.
Creevey, T.
Curteis, H. B.
Denison, W. J.
Denman, Sir T.
Duncombe, T.
Dundas, Sir R. L.
Dundas, Hon. J. C.
Dundas, Hon. T.
Easthope, J.
Ellice, Edward
Ellis, W.
Etwall, R.
Evans, W.
Evans, W. B.
Ewart, William
Fellowes, H. A. W.
Foley, Hon. T. H.
Foley, J. H. H.
Folkes, Sir W.
Fordwich, Lord
Glynne, Sir S.
Gordon, R.
Graham, Rt. hon. Sir J.
Grant, Right Hon. R.
Grosvenor, Lord R.
Handley, W. F.
Harvey, D. W.
Hawkins, J. H.
Heneage, G. F.
Heron, Sir R.
Heywood, B.
Hobhouse, Sir J. C.
Hodges, T. L.
Hodgson, J.
Horne, Sir W.
Howard, P. H.
Howick, Viscount
Hughes, Colonel
Hume, J.
James, W.
Jerningham, hon. H. V.
Kemp, T. R.
King, E. B.
Langton, Colonel
Lawley, F.
Lee, J. L. H.
Lefevre, C. S.
Leigh, T. C.
Lennard, T. B.
Lennox, Lord W.
Lennox, Lord George
Lester, B. L.
Littleton, E. J.
Lumley, J. S.
Lushington, Dr. S.
Maberly, Col. W. L.
Macaulay, T. B.
Macdonald, Sir J.
Marshall, W.
Mayhew, W.
Milbank, M.
Mills, J.
Milton, Viscount
Morpeth, Viscount
Morrison, J.
Norton, C. F.
Nowell, Alex.
Ord, W.
Owen, Sir J.
Paget, Sir Charles
Paget, Thomas
Palmer, General
Pelham, Hon. C. A.
Pendarves, E. W. W.
Penleaze, John S.
Penryhn, E.
Petit, Louis H.
Petre, Hon. E.
Philips, C. M.
Philips, G. R.
Price, Sir R.
Ramsden, J. C.
Ridley, Sir M. W.
Robarts, A. W.
Robinson, Sir G.
Rumbold, C. E.
Russell, Lord J.
Russell, Sir R. G.
Russell, Lieut.-Col.
Russell, W.
Schonswar, G.
Scott, Sir E. D.
Sebright, Sir J.
Skipwith, Sir G.
Smith, J. A.
Smith, R. V.
Stanley, Rt. hon. E. G. S.
Stanley, J.
Stephenson, H. F.
Strickland, George
Strutt, Edward
Surrey, Earl of
Thicknesse, Ralph
Thomson, Rt. Hon. C. P.
Thompson, P. B.
Throckmorton, R. G.
Tomes, J.
Tracy, Charles H.
Troubridge, Sir E.
Tynte, C. K. K.
Venables, Alderman
Vere, J. J. H.
Vernon, Hon. G. J.
Vernon, G. H.
Villiers, F.
Villiers, T. H.
Vincent, Sir F.
Waithman, Alderman
Walrond, B.
Warburton, Henry
Warre, John Ashley
Waterpark, Lord
Watson, Hon. R.
Whitbread, W. H.
Wilbraham, G.
Williams, Sir J.
Williamson, Sir H.
Wood, J.
Wood, Alderman
Wrightson, W. B.
Wrottesley, Sir J.

SCOTLAND.

Adam, Admiral C.
Campbell, W. F.
Dixon, Joseph
Fergusson, R. C.
Gillon, W. D.
Haliburton, Hon. D. G.
Johnston, A.
Johnstone, J.
Loch, James
Mackenzie, S.
M'Leod, R.
Morison, J.
Ross H.
Sinclair, G.
Stewart, Sir M. S.
Stewart, E.
Traill, G.

IRELAND.

Acheson, Viscount
Belfast, Earl of
Bodkin, J. J.
Browne, J.
Brownlow, C.
Callaghan, D.
Chichester, Sir A.
French, A.
Grattan, H.
Grattan, J.
Hill, Lord G. A.
Hort, Sir J. W.
Jephson, C. D. O.
Killeen, Lord
King, Hon. R.
Knox, Hon. Col. J.
Lambert, H.
Lambert, J. S.
Leader, N. P.
Macnamara, W.
Musgrave, Sir R.
O'Connell, M.
O'Connor, Don
O'Farrell, R. M.
Ponsonby Hon. G.
Power, R.
Rice, Hon. T. S.
Ruthven, E. S.
Sheil, R. L.
Walker, C. A.
White, Colonel H.
White, S.
Wyse, T.

On the Motion that Huddersfield stand part of schedule D,

Lord *Morpeth* said, he would take the opportunity of adverting to a petition which had been presented from Huddersfield, praying that the franchise of that place might not be confined to the township, but extended to the whole parish. The ground upon which that prayer was advanced, was that nearly the whole of the town was the property of an individual who let it out upon rack rents, and who, consequently, had the means of exercising a very powerful control over his tenants, as from the rapid growth of the town, many persons were without even the ordinary security of building leases. To limit the franchise to the town, therefore, would be to confer an immense advantage upon an individual, but to bestow little or no advantage on the population at large. This would be remedied by including the whole of the parish in the borough. He had only to observe, that, upon the score of population and wealth, it would be no more than a proper compliment to Huddersfield to admit it to the right of returning two Members. That, however, was a point upon which he should not enlarge, but leave it to be dealt with according to the discretion of the House.

Mr. *Littleton* said, that as one of the

Commissioners upon whom was devolved the duty of fixing the limits of the new borough of Huddersfield, he felt himself called upon to state that, in performing that duty, he did not conceive himself bound to consider the extent of property which any individual might possess within the borough, or his political opinions. The present was not the proper occasion for entering into any discussion upon the subject, or he had no doubt that he could explain in a very satisfactory manner the reason why the franchise of Huddersfield was limited to the town.

Mr. *Wrangham* confirmed the statement of the petitioners, and contended, that limiting the franchise to the township would be giving the Representation to one individual.

Lord *Milton* said, that formerly the opinion was general that Huddersfield was the property of one person, but that did not hold at present; for although the greatest part of the town was the property of one gentleman, yet it now was spreading fast into other estates within the township. The other parts of the township, too, included a greater number of acres than the property of the gentleman alluded to.

Mr. *Strickland* thought that the fair advantage should be allowed to Huddersfield that was given elsewhere, and he would, at the proper season, when the Boundaries Bill came before the House, advocate the extension of the franchise to the parish.

Mr. *Hunt* knew, that the property in Huddersfield belonged to one family, and there was ground to believe they would give to one individual too much influence. The Commissioners, in his opinion, had gone beyond their duty in confining the limits to the borough.

Mr. *Ramsden* said, that his noble friend (Lord Milton) was mistaken as to the spreading of the town, for the whole of it, with the exception of one house, belonged to his (Mr. Ramsden's) father. It had been in the family for many generations, and it was their boast, that notwithstanding the accumulation of capital and the minute subdivision of property, still the people continued to give the preference to that property, although they had the power of going to other parts of the township.

Huddersfield ordered to stand part of the schedule.

Kidderminster, Kendal, and Rochdale were also placed in the schedule.

On the Motion that Salford be placed in schedule D,

Mr. *Stuart Wortley* said, he would not persist in opposing the Motion, but protested against the principle of giving one Member to Salford, as that would be in effect giving three Members to Manchester. If Ministers were consistent, they ought to give two Members to that place, on account of its trade and population, if it was to be considered a separate place. He thought, however, that it ought to have been joined to Manchester, as the cotton trade had already received a sufficient number of Members.

Lord *Althorp* said, he could not agree to give two Members to Salford, although he was of opinion it was fully entitled to one.

Salford placed in schedule D.

House resumed, Committee to sit again.

HOUSE OF LORDS,

Tuesday, March 6, 1832.

Minutes.] Returns ordered. On the Motion of the Marquis of Lansdown, of a Copy of the Despatch, dated the 23rd of June, 1831, which had been transmitted by the Colonial Secretary to the different Governments of the West-Indian Colonies, together with Copies of the Correspondence between Viscount Goderich and Earl Belmore, which ensued thereupon:—On the Motion of the Lord Chancellor, a Copy of the Report of the Commissioners for Inquiring into the state of the Scotch Universities.

Agricultural Labourers.] On the motion of Lord Kenyon, the House resolved itself into a Committee on the Agricultural Labourers' Bill.

Lord *Kenyon* said, it had been suggested to him that the interests of persons entitled to reversions of property might be affected by the Bill: he begged to introduce such words as would give every possible security to the present holder of the property, who might consent; and to continue that security to the person possessed of the reversionary interest, so as to give him all the benefits to which he could be entitled on coming into possession. He also begged leave to introduce words to protect the interests of persons connected with quarries, and to strike out the latter part of the tithe clause, which enacted, that no abatement was to be made for fencing and setting out the lands.

The Duke of *Richmond* wished to have a clause introduced for the purpose of giving Overseers the power of entering upon the land, should the allotment be vacated.

Lord *Kenyon* was perfectly willing to adopt the suggestion made by the noble Duke.

The Bishop of *London* understood the noble Lord had introduced a clause which would affect *moduses*. This was a question of considerable difficulty, and would require great attention in the framing of it.

Lord *Kenyon* said, the right reverend Prelate would have an opportunity, at a future period, to move any amendments he might think proper.

The Earl of *Carnarvon* considered this as a measure of great importance, inasmuch as it affected rights of property to a great extent. On reading the Bill, he had found that the name which had been given to it was a misnomer, for it would afford no greater relief to poor agricultural labourers than to poor labourers of any other description. The Bill might more properly be named "a General Inclosure Bill." He had great doubts as to the propriety of many of the details of the Bill, and as to its being attended with all the benefit to the poor that was expected from it. Still he did not mean to object to the principle of the Bill; but hoped that, after the Bill should have passed the Committee, with its amendments, ample time would be given for considering its details, before it was sent to the other House.

The Bill went through the Committee. House resumed.

POST-OFFICE PACKETS.] The Earl of *Gosford* presented a Petition from the Innkeepers and Coach-proprietors on the road from London to Holyhead, against the amount of fares charged for the Post-office packets plying between Holyhead and Dublin. Notwithstanding the great difference of the distances between Liverpool and Dublin, and Holyhead and Dublin, the charge from Holyhead was 1*l.* 4*s.* 6*d.*, while that from Liverpool was only 1*l.* 7*s.* 6*d.*

The Duke of *Richmond* assured his noble friend that the petition should receive his most attentive consideration. At the same time he suggested, that the mail-coach proprietors between London and Holyhead ought themselves to reduce their fares, as their own high charges had quite as much effect in deterring passengers from going by the mail on that road as the post-office charges. A memorial on the subject had been already laid before the Commissioners of the Treasury, and they had come to a decision upon it. He could not promise to his noble friend that he could induce them to alter that decision. All he could promise was, that he would give an attentive consideration to the prayer of the petition.

Petition laid on the Table.

IMPROVEMENTS IN THE ADMINISTRATION OF LAW.] The *Lord Chancellor* moved, that an humble Address be presented to his Majesty, praying that his Majesty would be graciously pleased to order to be laid upon their Lordships' Table a copy of the last Report of the Commissioners for inquiring into the proceedings in suits in the superior Courts of Common Law. It was not his intention, at present, to enter into any detailed exposition of the contents of that Report, or into any discussion of the merits of the alterations and improvements in law proceedings which it recommended. But he might state, that a more important document had seldom been printed, or laid before Parliament. The Commissioners had conducted the inquiry with the most exemplary industry and impartiality, and with the most consummate intelligence, and had collected a mass of evidence of the highest importance, in regard to the topics to which their attention had been directed; and, moreover, had given opinions upon these topics, and upon the effect of the evidence, which were worthy of the most serious consideration of both Houses of Parliament. He might mention one important topic to which they had paid particular attention, and as to which they had collected a great deal of most valuable evidence—he meant, the process of law as between debtor and creditor. On this point, also, they had given their opinions, founded, as their opinions generally were, upon true and solid principles of improvement; and the majority were of opinion, that imprisonment for debt, both on mesne process and in execution might be entirely abolished, except under very particular circumstances. That creditors should have every means of getting payment of their debts from debtors who could pay if they chose—that all means should be taken from debtors of fraudulently defeating the just claims of their creditors—that all those anomalies should be expunged from the law, by which unfair debtors were enabled to set their creditors at defiance—that those rules of practice should be abolished, by which creditors were hampered in their attempts to recover their debts, and by which fraudulent and unfair debtors were enabled to escape from the payment of their just debts—were principles founded on the soundest and most solid reason; and there was hope that those inconsistencies in law proceedings, which stood in the way of these desirable results, might be gradually and temperately, but effectually, removed, if this Report should receive the sanction of this and the other House of Parliament. When he spoke of the abolition of imprisonment for debt on mesne process and after judgment, that must of course be understood as coupled with the putting of means into the hands of creditors for the recovery of their debts, of which, by the law, as it at present stood, they were deprived, and of which they had for a very long time, if not for nearly time out of mind, been deprived, by the alteration of circumstances, with reference to common law proceedings. The principle of the law, no doubt, originally was, and must have been, that the whole of the property of a debtor should be liable to the claims of the just and *bona fide* creditor. It never could have been meant, that, while what was technically called the goods of a debtor should be liable to the claims of a creditor, that more important part of his property, which did not come under that technical denomination, should be exempted. In the earliest state of the common law, these goods and chattels were generally all the property that a man possessed, and to these the common law process was confined. But, in progress of time, circumstances were altered, and a most important and large mass of property arose, founded on credit; and this property the creditor found it impossible to attach by the common law process. The great bulk of the property of a debtor might consist of credits. He might have property in the public funds, for instance, to a hundred times a greater amount than the goods and chattels, or personal property, in his possession; and yet there was no provision in the common law by which the creditor could directly attach that species of property. A man might have the great bulk of his property in the funds, and there it was exempt from the common law process. The great bulk of a man's property might consist of debts due to him; but this property the creditor could not reach by the common law process. Nay, the debtor might have gold and silver on his table—the very gold and silver borrowed from the creditor himself—and yet the creditor could not touch the money, not even his own gold and silver, by the common law process; and the oracular reason of the law was, that money did not come under the technical denomination of goods, and that it would be removing landmarks and essential distinctions, if money could be taken even in a process in execution against goods. He mentioned this merely as an instance of defect in the law which called loudly for amendment, without at all meaning to go at length into a discussion of the subject of the Report. He mentioned it to show that the adoption of the improvements in this particular recommended in the Report were not, properly speaking, innovations or alterations in the principle and foundation of the law, but only applications of the original principle and reason of the law to the change of circumstances which had taken place since the common law process was first framed and established. What was proposed was, to give its full effect to the principle of the common law, by adapting its process to the new state of circumstances, by bringing within the reach of that process the property founded on credit, which, when the process was originally formed, had scarcely any existence. The Commissioners had also investigated with great pains, calmness, judiciousness, and ability, the subject of imprisonment for debt on Mesne Process and the majority of them were of opinion that imprisonment of the person on Mesne Process might under certain circumstances, be dispensed with, as well as imprisonment in execution. But this, of course, must be accompanied by putting increased powers into the hands of the creditors to get at the effects of the debtors; and even imprisonment might still be retained, as a means of compelling a debtor to give up his property, and also as a punishment for fraud or criminal conduct, either in a legal or a moral sense —for acts which should be either legally criminal, or *quasi* criminal, as being crimes in a moral point of view. If a debtor fraudulently refused to surrender his property, he would have no just reason to complain that he was imprisoned until he did surrender for the payment of his just debts, nor would he have any just reason to complain if he should be imprisoned as a punishment for having endeavoured to defeat his just creditor by fraud, or any other act legally or morally criminal. People might, by an extravagant expenditure, as compared with their incomes, contract debts which they must themselves be well assured they could not possibly pay; and this might be considered as a fraud, and might properly be punished as such. Where a debtor refused to surrender his property, or when he had fraudulently contracted debts, in either case imprisonment might still be retained—in the one case to compel payment, and in the other as a punishment. This appeared to be very sound doctrine, and one which well deserved to be sanctioned by the Legislature. There was another instance in which imprisonment on Mesne Process might be properly retained, and that was, when there were reasonable grounds to apprehend an escape, and in one or two other cases with which he would not then trouble the House. He had thus stated very generally the nature and amount of this Report on the subject of law process as between debtor and creditor. The Commissioners had collected a great mass of most valuable evidence, on which a considerable difference of opinions would be found, and it was his duty to state, that as to the total abolition of imprisonment for debt under the modifications which he had mentioned, there was some difference of opinion among the Commissioners themselves. But this only proved the complete fairness and unbiassed impartiality with which the Commissioners had performed the task which they had undertaken. The fact, however, was as he had stated it, and he considered the Report, therefore, as to the particulars in which the difference had existed, only as the Report of the majority. There was another topic to which the attention of Parliament had been called by himself and others at a former period—and that was, the providing of a more cheap and expeditious process for the recovery of debts under 50*l*. or 60*l*. In the improvements recommended in this Report, the majority of the Commissioners had already the concurrence of many in this and the other House, and it was probable that its perusal would gain over some who before differed from them, while those who had before entertained similar opinions would have these opinions confirmed. The noble and learned Lord concluded by putting his Motion, which was agreed to *nem. diss.*

HOUSE OF COMMONS,

Wednesday, March 6, 1832.

MINUTES.] Bill brought in. By Mr. SPRING RICE, to Explain certain Provisions in Local Acts of Parliament relating to Double Toll on Turnpike Roads (Ireland).

Returns ordered. On the Motion of Mr. DIXON, for Copies of the Instructions issued to the Governors of New South Wales, for apportioning Land in that Colony, and of all Orders and Correspondence connected therewith.

Petitions presented. By Mr. BODKIN, from the Inhabitants of Kilcomah and Robin, in favour of the Irish Reform Bill; and from the Guild of Masons and Tanners Galway, for Equalizing Civil Rights in that place:—By Sir CHARLES BLUNT, from the Spinners and Manufacturers of Glossop Dale, against the Factories Regulation Bill:—By Mr. Alderman THOMPSON, in favour of the Factories Bill, from Bishopsgate, Shoreditch, Hoxton, and Whitechapel.

MINISTERIAL PLAN OF EDUCATION (IRELAND).] Mr. *James E. Gordon* presented petitions upon the National Education in Ireland. The first was signed by a Nobleman several Clergymen, and a number of freeholders in the county of Tipperary. They stated that as the Scriptures were the Word of God, they should be the only infallible rule of practice, and, therefore, there ought to be an unlimited use of them, and not a partial use; that one of the principal causes of the present demoralized state of Ireland was, the absence of scriptural education owing to the opposition of the Roman Catholic clergy to the circulation of the Scriptures; they regretted the withdrawal of the funds heretofore allowed from the public purse from certain Societies in Ireland established to encourage scriptural education, and they protested strongly against the new plan of education proposed by Government. They prayed that no parliamentary grant might be made to carry into effect that plan. A second petition was from twelve ministers of the Established Church, three Dissenting ministers, and 250 laymen, and he could take upon himself to assert that, but for the system of terror and intimidation pursued in that part of the country, for every one who signed the petition there would have been ten. The third petition was from the minister and congregation of Port Mahon, in the county of Down, upon the same subject.

Lord *Acheson* said, that having been intrusted with a petition similar to that which had been presented by the hon. member for Dundalk, and having been in vain attempting for some time past to present it, he would, with the leave of the House, take that opportunity of making some remarks upon it. The petition emanated from a highly-respectable and influential body of men, the Presbyterian ministers of the General Synod of Ulster, convened for the purpose of taking into consideration the plan of education recommended by his Majesty's Government to be adopted in Ireland. The petitioners expressed their gratitude for the assistance hitherto granted by Parliament for the purposes of education in Ireland; and they stated that they viewed with great regret the change of system proposed by his Majesty's Government. It was not his intention to enter into a discussion upon the comparative merits of different plans of education: the question was merely, whether the proposed plan, without reference to any other, could or could not, with propriety, be introduced into Ireland; and whether if introduced, its effects would be such as the friends of Scriptural education would approve of—such as he believed, the promoters of the plan expected to result from it. Among other grounds of objection, the petitioners mentioned one which applied solely to them as Presbyterians; it was, that by this plan, one of their body was appointed to a Board, which Board was to exercise entire control over schools and school-books. The petitioners stated, that this was altogether contrary to a leading principle of their Church—a principle from which as a matter of conscience, they were not at liberty to recede. They stated, that all Ministers of the Church were equal in point of rank and degree, each individual Minister being Presbyter or Bishop of his own Church, all ecclesiastical power being lodged in the hands of the Presbytery, or United Council of Ministers and Elders, and that no one could receive, claim, or exercise any power over his brethren in matters of conscience or duty. They proceeded to state, that by this appointment, of one of their body to the Board of Education, their Ministerial parity was essentially destroyed, and a Ministerial supremacy established over them, to which they could never submit, as long as, by the grace of God, they continued to be Presbyterians. This point was so clearly stated in the petition, that he would say no more upon it, than that in his opinion, so far as Presbyterians were concerned it was a fair ground of objection, founded upon a matter of conscience, and one which they were therefore, bound to act upon. With regard to another objection—that this new plan deprived parents of the power of appointment and removal of schoolmasters, he was inclined to think that, in itself, it had no weight; it went, however, to imply that the Members of the Board were not fit persons to be intrusted with the appointment of schoolmasters, or that they would not pay due attention to representations or misconduct on the part of schoolmasters of their appointment. In reply to this he would say, that, generally, the Board would be the better judge of the qualifications of a schoolmaster, and it was to presuppose a gross dereliction of duty to imagine, that it would fail to make every inquiry into the accusations which might be brought against any man appointed by it to superintend a school. The great objection of the petitioners was—that extracts selected by the Board were to be made use of as a school-book to the exclusion of the Scriptures, whole and unmutilated; by which means Protestants would be deprived of the free use of the Bible. He would ask whence this sudden horror of extracts? Had extracts never been seen in Christian families? Were extracts never in use in the Kildare-street schools? To be sure they were. But they were told, that these extracts were to be agreed to by the members of the Board belonging to different persuasions—Protestant and Catholic. If, by this, it was intended that concessions were to be made by Protestants, on points of religion—if passages were to be garbled, or to be altered, to suit Roman Catholics, he should at once give his most decided opposition to such proceedings. Political concessions might be at times highly expedient, and even necessary; but no man should ever persuade him that a concession of a religious principle, against the dictates of conscience, however expedient it might be on worldly grounds, was or could be justifiable. But if extracts were made, as they might be, and he would add, as he was convinced they would be, involving no concession on either side, at the same time satisfactory to persons of both persuasions, he did not see what grounds of discontent remained to either party. He was no supporter of this plan of education, but as a friend and well-wisher of Government, as a man who supported Ministers because he was convinced that their object was, to steer a middle course between the two extremes of party, he must protest, and he did it conscientiously, against the insinuations—nay, more, the positive assertions—which had been made in Ireland, that the object of Government had been to deprive the Protestants of the Bible. He appealed to any fair and unprejudiced man who had an eye to read, or a particle of common sense to understand the plan laid down by his right hon. friend, the Secretary for Ireland, in his letter to the Duke of Leinster—he appealed to that man, and by his decision would he abide, whether, on the face of that plan, there was a sentence which could be construed to imply such a motive on the part of Government. He appealed to the House whether, in the conduct of his right hon. friend, or of the noble Earl at the head of the Administration, anything had ever appeared to justify such an insinuation. Why, the plan not only stated distinctly that two days in the week, besides Sunday, were to be given up to religious instruction; but schoolmasters were recommended to give religious instruction to the children of their respective persuasions before and after school hours, on other days; and it was expressly stated, that the extracts used as school-books on days appointed for moral and literary education, were, by no means, intended to convey a perfect and efficient religious education, or to supersede the necessity of religious instruction, on the days set apart for that purpose. If a doubt could exist as to the motives of Government, this, in his opinion, would be quite sufficient to dispel it. He disputed with no man his right to oppose any measure to which he had conscientious objections; and he acquitted the Presbyterians of all desire, in their opposition to this plan, to embarrass the Government, and was willing to believe that many others were actuated in their opposition by religious motives; but why had bad motives been imputed to the present Government? Why had they not been imputed to those who were the original framers of this plan of education, from whose report his right hon. friend's letter had been taken, in many respects, verbatim? He only stated facts. The present Government was a Whig Government—the then Government was of an opposite character in its politics. There was no Reform question pending in those days—there was no object then in inflaming the minds of men against Government. He regretted this line had been followed. What its objects might be he pretended not to say; but this he knew, that, whether intentionally or not, a feeling of suspicion, of unfounded suspicion, arising from those unfounded insinuations, had been excited in the minds of the people of Ireland, which might induce them to look with an evil eye on the future measures of Government. Far better would it have been for the country, if the opponents of the measure had come forward, had stated fairly and openly their objections, and had expressed their willingness to join in devising some other plan which might have been satisfactory to all parties. Far better would it have been for the country—far more creditable to themselves—far more suitable to those professions of religion, by which alone they declared themselves to have been actuated. Having thus stated, to the best of his ability, his firm and conscientious conviction that his Majesty's Government had been actuated by no such motive as that which had been imputed to it, and having mentioned those points in which he differed from the petition, he would next state, as briefly as possible, the grounds on which, with different premises, he arrived at the same conclusion. The petitioners attacked the plan: he attacked the result of the plan. If the plan could carry into effect its own intentions, he should be satisfied with it; but the more he inquired into the matter, the more convinced was he, that the plan carried in itself the seeds of its own annihilation—that however good the motives of Government, their plan must fail. The greater the number of schools established under this system, the more would the evil which he was about to mention be experienced. Suppose a parish, with ten or twelve or more schools—he asked, how a clergyman and his curates, or a Roman Catholic priest and his assistant, were to devote two days in the week to each of these schools for the purposes of religious instruction? Still less would the Presbyterian minister, single handed, in a district not parochial, but probably extending into several parishes, still less would he be able to carry into effect the intentions of this plan. This, in his opinion, was the real objection to the plan—this was the way in which Protestants would be deprived of the use of their Bibles. Till this ground was removed from under him, he should feel himself obliged to oppose the plan. He did so with regret, and had hoped that it might have worked well in Ireland, but feared, that now was not the time to attempt the establishment of any system of general education in that country. Men's minds were torn by party feeling, and could not be brought to view the subject in a fair and unbiassed light; and if so humble an individual as himself might be allowed to offer a suggestion to the Government, it would be to withdraw for the present all grants for the purpose of general education. They merely added fuel to the flame. He said this, not without the anxious hope that the day might soon come, when all these differences would be at an end, and when persons of influence would turn their minds, without reference to party feeling or prejudice, to those points alone in which they might be of use and advantage to their country. He was aware that his opinions might be misrepresented; if he could for a moment imagine, that his Majesty's Ministers were actuated by the motives which had been imputed to them, he should feel it his duty as a Protestant, instantly to withdraw that humble but conscientious support which he had hitherto had great pleasure in giving to them.

Mr. *Andrew Johnston* claimed the indulgence of the House, as the discussion, on a similar petition from Aberdeen, which he had the honour to present at the close of last week, was postponed till the Ulster petition should be considered, he would make a few observations on this interesting subject. He felt exceedingly sorry to be obliged to differ from the right hon. Secretary for Ireland, and his hon. friends, the Irish Members, with whom he had always co-operated on the great measure of Reform; but he was compelled to hold his views as a Reformer in subjection to his principles as a Christian. Knowing how well the national system of education had worked in Scotland for upwards of two centuries, he hoped he should not be accused of any Irish prejudice if he objected to the Ministerial plan. The right hon. Secretary had stated, that the Aberdeen petition afforded a proof of the prevailing misconception on this subject; but the petitioners had before them the letter of the right hon. Gentleman, in which the proposed scheme of education was propounded; and he could not, after a careful perusal of that letter, come to a conclusion on it different from that of the petitioners. On considering this document, it was evident that the right hon. Secretary had overlooked the primary questions: was it right and proper for a Protestant Government to encourage education? and, if so, what were the best means for obtaining that object. The plan of the right hon. Secretary was evidently founded on expediency; and as he was convinced that no good could result, he was glad to observe, that the scheme was held to be an experiment only. The right hon. Gentleman contended in his letter, that the Kildare-street Society was not fitted for the purposes of national education. He was at a loss to know on what solid grounds such an opinion had been formed. When he examined the returns of schools and scholars attached to Kildare-street, from 1816 to 1831, it appeared that the numbers had regularly increased. In 1828, indeed, there was a decrease; but this, he was informed, arose from the ingenuity of the Roman Catholic hierarchy, who, on the occasion of the Committee of Inquiry, in the year alluded to, procured the withdrawing of several thousands of the scholars; but, in 1829, the schools were more numerously attended than in 1827; there was, also, a progressive increase in 1830 and 1831. He considered, with the right hon. Secretary, that 'much must depend" on the character of the Board, in order that the interests of religion should not be overlooked; and that the peculiar tenets of the scholars should not be interfered with. He would proceed to consider the constitution of the Board, and the public characters of the individuals who were its members. On, what some might term, the Protestant side, there was to be found a nobleman of high rank, a Protestant; the Archbishop of Dublin, also a professed Protestant; but it would appear, that the whole of his clergy were opposed to him in this respect. Next appeared a layman, Dr. Sadler, said to be a liberal Protestant: then followed Mr. Holmes, a Barrister. Of this gentleman it was stated in the Ulster petition, that he was a " Unitarian;" and in a publication, by an hon. Member of that House, on the subject, that he was a " Socinian." He would abstain from making any comment on this extraordinary appointment, further, than that it must be alike objectionable to Protestant and Roman Catholic. He now came to the Reverend Mr. Carlisle, a Presbyterian minister, to whose nomination his brethren of the Ulster Synod strongly objected, stating in their petition, that the scheme of the right hon. Secretary conferred a power on Mr. Carlisle of controlling entirely "all books to be used in the schools, whether in the combined moral and literary," or "separate religious instruction," a power totally at variance with the standards of the Presbyterian Church. It thus appeared that on this side of the Board there were two professing Protestants, a Socinian, and a Presbyterian certainly not very concordant elements, with a liberal Protestant, who might possibly be intended as a balance-wheel to the conflicting interests. On the other side was Dr. Murray, a Romish Prelate of the highest respectability, and Mr. Blake, an official personage of eminence, both consistent Roman Catholics, who, it might naturally be expected, would not fail to take advantage of the two probable divisions of the other side of this Board. How, then, could it be expected that the purposes intended by the right hon. Gentleman would ever be attained? In regard to this plan, he did not complain of the motives and intent of the right hon. Secretary. He could well appreciate the difficulties in which the right hon. Gentleman was involved—difficulties which were never greater in the time of any previous Secretary for Ireland; but, the right hon. Secretary had here undertaken an impossibility, for how could Protestant and Roman Catholic ever be brought to meet, except on the neutral ground of infidelity. He also considered the scheme objectionable, as there was no guarantee for religious instruction, one or two days in a week were to be allocated for "separate religious instruction;" but this provision was not imperative. Such religious instruction was to be left to the discretion of the clergy, who, it must be kept in view, were chiefly Roman Catholic, and who were to be permitted and encouraged to give religious instruction before and after school hours, on the other days of the week. The clergy were surely not the persons best calculated for communicating elementary instruction, and the laity would, therefore, be exposed to hardship: indeed, the Protestant parent had no security that the Bible would be used even in the separate religious instruction of his children. He could perceive nothing in all these arrangements but an apple of discord thrown down to the people of Ireland. In regard to the books, it was proposed that the funds should be applicable to supply &c., such as were of a moral and literary character, at half-price; and here was a serious discrepancy between the scheme of the right hon. Secretary and the Report of 1828, on which it was chiefly founded. By the latter, "books of moral and literary education," were to be furnished at "half-price," and religious books at "prime cost;" while in the former, no funds whatever were appropriated for the supply of "religious" books on any terms. One of the most objectionable parts of the scheme was, the entire want of support and encouragement to the reading of the Bible, which ought to be the sole foundation and standard of any system of national education, patronized by a Protestant Government. In the scheme of the right hon. Gentleman it was only once directly alluded to, as it might be connected with the expression of "portions of sacred history." From these premises he could not come to any other conclusion, than that the plan of the right hon. Secretary held out no reasonable prospect of success; and in the present state of Ireland, he could venture to suggest no other mode of treating this subject, than that the Government should leave the matter in the hands of individuals and private societies; abstaining from applying any part of the national revenue to the encouragement of either scheme of Sectarian education.

Mr. *Stanley* would take this opportunity of stating somewhat more fully than he had hitherto done, the wishes and intentions of Ministers on the subject of education in Ireland. Opposed as they were on every side by conflicting interests, and party prejudices; he was not disposed, on this occasion, to attempt to analyze the motives which influenced other persons in opposing this plan; but he must be permitted to say, that if there was one body of persons in Ireland who were more than another distinguished for eminent Scriptural piety, moral conduct, and discipline, among their members, and for enforcing habits of good order, loyalty, religion, and morality among those committed to their charge, the Presbyterian Synod of Ulster deserved that character. He was sure their opposition was conscientious, and he was convinced their petition would, as it deserved, receive the most marked consideration and attention from the House. The attempt which the Government was now making to introduce into Ireland a system of educating together children of the different religious denominations had been approved and recommended at various times by Commissions of Inquiry appointed by the Legislature. He was far from saying that the system now about to be carried into effect was perfect, but he believed that it was the most likely to unite the people of all religious persuasions in the education of their children, and produce those results which, the Scriptures said, were the fruits of the Christian religion—peace, meekness, gentleness, and love. It led to no departure from any principle which the strictest Protestant would require in the most Protestant education. It had been objected that the plan caused a mutilation of the Scriptures, and that it would take away from the Protestants of Ireland the unrestricted use of the Scriptures [*hear, hear*]. But he would tell the Gentlemen who cheered that accusation, that it was founded in a total misconception of the system which the Government desired to introduce. It was true, that accusation had been alleged in a petition from 220,000 Protestants in Ireland, but, with all the respect which he sincerely entertained for the opinions of so large a body of Protestants, he must say, that they signed that petition under a misconception of the plan of which they complained. They had been called on to stand up and maintain the principles of Protestantism, and to prevent their children from being robbed of their dearest inheritance — the privilege of unrestricted access to the Scriptures. Under those representations signatures had been obtained to that petition. Those 220,000 Protestants, therefore, petitioned, not against the system—for they did not know it—but against something which they had been told would deprive them of their Bibles. He would defy those who made such an assertion to show that the plan propounded in his letter had any tendency in any way to interfere with the Scriptural education of the Irish Protestants. He would refer to the names of the Commissioners annexed to the Report, on the recommendation of which the plan was founded, and he would ask, were the Archbishops of Armagh and Cashel, and the Bishop of Ferns, persons likely to recommend a plan of education that would be hostile to Protestant principles. The Report which had emanated from those Commissioners had recommended that a Board should be established under the authority of an Act of Parliament, empowering them to receive and dispose of parliamentary grants for building, endowing, or keeping up schools, to decide on the appointment, conduct, and dismissal of masters, to prescribe the mode of education, and to have the general control over the whole of the proposed establishment for the instruction of the lower class. Their attention should also be directed to the selection of proper books to be read in the schools, and no book should be used for the purpose of instruction without the approbation of the Board, nor any mode of education adopted without their sanction, he was sure that no objection could be made to the two Commissioners who were appointed to control the religious books to be put into the hands of the Roman Catholic children—Dr. Murray and Mr. Blake, the Chief Remembrancer. But, at the same time, that it had been thought desirable to give the Board a control over the religious education of the children in the schools under their superintendance, it would have no power to exclude any of the standard books of particular sects. The Commissioners could not take the confession of faith from the Presbyterian children, nor from the Protestants the Bible which they acknowledged as the only foundation of their faith, and the rule of their conduct. But those books which should be used in the mixed education of the children of all professions would be under the entire control of the Board. Now, he would ask those who made it a matter of complaint that the Scriptures were not insisted on as a school-book to be read by all, whether they would themselves allow the whole Scriptures to be put into the hands of their own children, to be read without the superintendance of religious instructors.

An *Hon. Member* said, that was not the question.

Mr. *Stanley* contended, that that was the real question at issue; for, if not, what was the objection to the plan, and what did the petitioners demand? By that plan the reading of the Scriptures would be denied to none, under the superintendance of religious teachers. The Board was desirous on the one hand to avoid the objections of those who condemned the use of the whole Scriptures as a school-book, without note or comment for fear that proselytism might be attempted by these means, and, on the other hand, it was desirous of giving the whole Scriptures accompanied by the instructions of religious teachers, to those who approved of their being so read by their children. In the fourteenth Report of the Commissioners, to which he had previously referred, it was recommended, that not only moral works, calculated to make a deep impression upon the minds of children, but also such extracts from the Bible as were most likely to enforce moral doctrines, those parts not being liable to the objections which were generally made to the use of the Scriptures in public education. He looked upon those books read in the school hours as an excellent preparation for a course of religious education to be separately pursued. But, it might be asked, did not the Protestant—the Scriptural Society of Kildare-street—take care to furnish the whole Bible to all the children in their schools? They did not. On the contrary; it was expressly stated, in the first Report of the Commissioners of Education Inquiry in 1825, that the Society had published selections from the sacred volume. The words of the Report (speaking of the Kildare-street Society) were,

> "We make these statements with a view to show the existence of an evil which still requires a remedy, and not for the purpose of charging it as a matter of imputation to any particular class of persons. The selection of the book in which each child is to have to read in a common school, has necessarily been left to the child itself, or to its parents. The masters, scarcely removed above the lowest state of poverty, in no instance have ever thought of providing them; and the schools, being mostly founded on private speculation, and unsupported by Societies or patrons, the books which were easily and cheaply to be procured were naturally preferred by the children and their parents. Among the publications of the Society there is one which we think ourselves called upon particularly to notice. It is entitled 'A Selection from the New Testament, consisting of Lessons composed from the Writings of the Four Evangelists, for the use of Schools, by permission of the most Reverend Dr. Troy, printed in 1818.'"

Here, then, was a selection from the Holy Scriptures recommended and sanctioned by the head of the Roman Catholic Church in Ireland, and printed and published by this most Protestant Society. But it was said that the Kildare-street Society furnished the Bible to the schools! No such thing; the Report said—

> "Bibles and Testaments are now included amongst the books supplied by the Society; and it is frequently a matter of surprise to the sons who receive books from them, that the only book which the Society requires, under all circumstances, to be used in the schools is not included in the grant."

He had also the list of books published by the Kildare-street Society, and in it were the following works—*Scripture Lessons, Irish Reading Book*, a selection from the Psalms; *Irish Reading Book*, containing the History of Joseph. Now, if this was not a mutilation of the Scriptures, what was meant by the term? At any rate, nothing had been adopted, nor was anything to be adopted, by the Board of Education, with respect to these selections, which could be objected to by those who sanctioned the proceedings of the Kildare-street Society on the same point. But it appeared that the selection to be adopted by the Board was to be objected to. He had, however, the authority of Mr. Carlisle for saying, that such selection was only in progress, and had not yet received the sanction of the Board. By what means the hon. Member had procured a proof-sheet of the work before it had obtained the approval of the Board he did not know. It had been asked, what can a Board formed of Catholics, Protestants, and Presbyterians, do, as there would always be dissensions among them? But, in answer, he would say, that the truth was, that the most perfect harmony existed among all the members of the Board; that there had not, hitherto, been even a single difference of opinion between them; and Mr. Carlisle said, that the two Roman Catholics had had no difficulty whatever in joining with the five Protestants in drawing up a list of such books as were deemed best adapted for the education of the children of both religious persuasions. The House had been told, that the Protestant Archbishop of Dublin, who was at the head of the New Board of Education, had not the confidence of his clergy, and would not have their co-operation; and that they had pledged themselves to give a systematic opposition to the plan of education which he sanctioned—nay, that they had so pledged themselves before they knew what the plan was. For his part, he (Mr. Stanley) believed that if that Prelate consulted only his own peace and comfort, not the interests of religion and the welfare of the people over whom he was placed, he would not have undertaken the office which exposed him to the attacks of those who claimed exclusively to themselves the name of Protestant—who arrogantly said, "If you are not with us, you are against us." They stigmatized those who dissented from their peculiar opinions by an appellation which he (Mr. Stanley), considered honourable in the first degree that of "liberal Protestants." Those Gentlemen, he contended, had no right to assume that liberality of mind was inconsistent with a deep interest on religious subjects, or that the liberal Protestant was not as sincere a Protestant as he who talked more, but, perhaps, thought less. No one presumed to doubt Mr. Carlisle's character, as a Christian and a Protestant; but then it was said, how could such a man become a member of the Board? Thus the Government were blamed on the one hand for nominating Roman Catholics, and then, when they pointed to a man whose name was a passport and evidence that a religious system of education would be pursued, the answer was, "Mr. Carlisle is a most excellent man; but how could he connect himself with such a system? The Government, therefore, were met with adverse statements, which would be equally applicable to any Board they could possibly have established. Gentlemen expressed surprise at the motives which had induced Mr. Carlisle to connect himself with the Board. That Gentleman, however, had publicly stated what his motives were. Having stated, that of a remnant of highly eminent persons, some dissented from, and some doubted the expediency of the new system, he declared, that he had never undergone a more severe trial of principle than in adopting and persevering in a course which such persons disapproved; but that he felt it his duty to give every assistance and support in carrying into effect a wise and just measure, which he hoped would turn to the moral and religious education and improvement of a people who had suffered so much. Such were the motives which Mr. Carlisle declared, actuated him in becoming a member of the new Board: and if all men acted upon the same motives, and were governed by the same benevolent and Christian principles, he should feel no apprehension for the success of the new system. It would no longer be an experiment, for its success would be decided, and the result would not merely contribute to the improved education of the people, but to the peace and happiness of Ireland. He admitted, however, that it still remained to be tried whether party prejudice, political envy, and religious rancour, might not prove sufficiently powerful to defeat a system which was intended to promote harmony and good will amongst all classes, by a system of combined education in which Protestants and Catholics might be instructed in the doctrines of their respective creeds. For his own part he was sincerely and zealously attached to Protestantism, and he conscientiously believed the doctrines of the Roman Catholic Church were founded in error; but, at the same time, he always preferred a good Catholic to a bad Protestant. He believed, however, that if the system proposed by Government was not interrupted and thwarted by those angry Sectarian feelings to which he had adverted, that it would produce the best effects as regarded the improvement of national education, and tend in no inconsiderable degree to promote the future peace, welfare, and happiness of Ireland.

Mr. *Lefroy* did not mean to follow the right hon. Gentleman, the Secretary for Ireland, through the many topics on which he had touched, but should confine himself to what he conceived to be the only question arising out of the petition now under consideration. The only question was, whether the plan of education adopted by his Majesty's Government for Ireland, was or was not open to the objection which stamped upon it the character of being not only un-Protestant but un-Christian? That, he believed, it would be conceded was coming at once to the point, and to that point his observations should be confined. The first consideration was, whether his Majesty's Government were not providing a system of national education, from which they were about systematically to exclude the Holy Scriptures, as not necessarily forming any part of their system of education. He was prepared to contend that a system raised upon such a principle was not only entitled to be called a departure from Protestant principles, but that it should justly be considered as a departure from the great basis of all Christian principle. That the new system systematically excluded the Holy Scriptures from the plan of national education, was distinctly admitted in the right hon. Gentleman's own letter. It was said to be a vital defect in the former system that it provided for the reading of the Scriptures without note or comment, as an essential part of the plan. The Scriptures, without note or comment, therefore, were to be excluded from the new plan, and extracts from the Holy Scriptures were proposed to be substituted. He did not object to selections from the Scriptures, but he objected to a system which entirely excluded the Scriptures and the whole Scriptures. The complaints of the Protestants of Ireland, that they were about to be robbed of the Holy Scriptures, he did not consider as unjust; but that complaint should not be confined to the Protestants. He made a similar complaint on behalf of his Catholic brethren. Under the old system, now about to be extinguished, the Roman Catholics had an opportunity of reading the Scriptures whenever they wished; but, under the new system, it would be impossible for any Roman Catholic child ever to have access to the Scriptures. This was the charge which he made against the plan proposed by the right hon. Gentleman, and he felt that it would not be difficult to substantiate that charge on the right hon. Gentleman's own authority. He had stated that, whilst the Scriptures were admitted into the national schools, the Roman Catholic priesthood found that proselytism might be attempted, although, perhaps, it might never be contemplated by those having the management of the schools; at all events, the Catholic people had no such fears, for the right hon. Gentleman said, in his letter, that the Kildare-street Society prospered and extended itself under the fostering care of the Legislature, until the Catholic clergy exerted themselves with energy and success, against the system. The opposition was, therefore, confined to the priesthood, and to them alone. In making this statement, the right hon. Gentleman had uttered as bitter a sarcasm on priests and Roman Catholics as could well be conceived. The Roman Catholics might be afraid of the effect of the Scriptures, without note or comment; but were the Members of the House to be told, in the nineteenth century, that because knowledge of a certain kind might lead to a change of mind on religious topics, the Government of the day ought to unite with those who were anxious to exclude that species of knowledge? Was that the principle of the right hon. Gentleman, who proclaimed himself as strong a Protestant as any in that House? Could there be any principle more thoroughly anti-Protestant than that of excluding scriptural knowledge because it might possibly lead to a change of mind in the Catholics? What was the great principle which caused the separation from the Church of Rome, and made Protestantism the national religion? Was it not the recognition of the private right of every man to read the Scriptures, and judge for himself? Under the system which was extinguished by the Ministerial plan, between 40,000 and 50,000 Roman Catholics were engaged in reading the Scriptures. It appeared, by documents before the public, and which could not err, that above 40,000, in fact near 50,000 Roman Catholic children were in the enjoyment of the great privilege of reading the Scriptures, and had unrestrained access to the sacred volume in the schools of the Kildare-street Society. The Roman Catholics were not obliged to send their children to the Society's schools; but Roman Catholic children, to the number he had stated, freely attended those schools. As he had heard it stated that the Roman Catholics were compelled to send their children to the Scripture schools, he begged to refer to the Report made on the subject in 1828. At that period there were 6,058 daily schools in which the Scriptures were read. Only 1,879 were connected with any existing society, in which, it could be insinuated that it was, in any degree, imperative on the pupils to read the Scriptures. 4,179 schools existed, in which, the reading of the Scriptures was adopted voluntarily by the conductors and teachers, the latter of whom were generally dependent for subsistence on the payment received from the parents of the children. Between 200,000 and 300,000 children were educated in those schools, and a great proportion of those it might be inferred, were Roman Catholics. The Catholic masters, he might observe, amounted to no fewer than 2,670 in those schools in which the Scriptures were read. When it was said, that the Roman Catholics were not disposed to read the Scriptures, he met the assertion with these facts; and he also met it with another fact—that many of the Roman Catholic parents endured excommunication from their Church, rather than withdraw their children from the schools in which the Scriptures were read. He held in his hand a declaration, signed by six Roman Catholics, who had been excommunicated for sending their children to one of those schools. Those persons asserted their right to choose the schools which they considered best fitted for the education of their children, and declared that, notwithstanding the excommunication, they would continue to send their children to the schools in which the Scriptures were read. The evidence annexed to the report of the Commissioners in 1825 showed that even the Roman Catholic priests were not unanimous at that period in making it a condition that the Scriptures should not be read; for seventy-five priests had received aid from the Kildare-street Society, and it was a principle of that Society never to exclude a Roman Catholic master for the purpose of substituting a Protestant. These facts proved, that it was competent for the Roman Catholics to enjoy the reading of the Scriptures, and to have free access to the sacred volume without any outrage to their religious principles. It was true, as had been stated by the right hon. Gentleman (Mr. Stanley), that the Kildare-street Society, to accommodate itself to the prejudices of Roman Catholics, had consented to make extracts from their own version of the Scriptures, and for that concession the Society was now to be taunted, as for an abandonment of its high Protestant character. He begged, however, distinctly to state, that the Kildare-street Society had never put up for a high or low Protestant character. It had never assumed any sectarian character, but had worked zealously, and with no inconsiderable success, in giving to the people of Ireland of all persuasions, a sound, moral, and religious education, founded on the

Holy Scriptures. He contended that the system adopted by the Kildare-street Society was working well, and he blamed the Government for extinguishing such a system in a country like Ireland, in which it was so difficult to establish any system. The right hon. Gentleman had stated, that he proceeded upon the report of the Commissioners in 1825. Now, although the Commissioners in 1825 stated, that the system had failed in giving universal satisfaction; yet he insisted that was no ground for establishing a new system, which was far from giving universal satisfaction; and for extinguishing the Kildare-street Society, which had effected so much. The old system, which had produced such extensively beneficial results, had been extinguished, in order to substitute what the right hon. Gentleman admitted was nothing more than an experiment. The old plan of education, it was said, had not given general satisfaction; but what scheme had ever given universal satisfaction? What plan could be expected in Ireland, or even in this country, to afford universal satisfaction? Even that great mirror of the minds of his Majesty's Ministers, framed with so much labour and anxiety, even "the Bill," had not given universal satisfaction. They were about to tear up by the roots a system not because it was erroneous, but because it had failed to satisfy the clergy of a particular persuasion, although it had not failed to give satisfaction to a great body of the people of Ireland. He should now proceed to state why he inferred that the new system did not stand upon the Scriptures. The right hon. Gentleman stated in his letter that, according to the principles of the Roman Catholic Church, the children could not be allowed to read the Scriptures, as in fact that liberty was not given to adults without a license.

Mr. *Stanley:* Perhaps the hon. Member would be so good as to read the passage. The hon. Member was quite misrepresenting what he had written.

Mr. *Lefroy* was as incapable of misrepresenting any thing as the right hon. Gentleman, and if he found fault with his statement, he might have called upon him to correct it with more courtesy, though he was aware he could scarcely expect much courtesy from the right hon. Gentleman, when he considered his usual conduct and demeanour in that House.

Mr. *Stanley* assured the hon. and learned Gentleman that he had meant nothing discourteous to him. He was sure the hon. and learned Gentleman had not misrepresented intentionally, but the passage had really been altered, and he wished it to be read.

Mr. *Lefroy* then read the passage in Mr. Stanley's letter to which he alluded, and which was as follows:—"The indiscriminate reading of the Scriptures by children, is peculiar obnoxious to the Roman Catholic Church, which denies even to adults, unassisted by note or comment, the right of private interpretation of the sacred volume, with respect to the articles of religious faith."

Mr. *Stanley:* The hon. Member must see that the words, "with respect to the articles of religious faith," which he omitted, were material to the sense of the passage.

Mr. *Lefroy* protested that he could not pereive how the sense of the passage, as he had quoted it, was altered by those words. The right hon. Gentleman, however, had now all the benefit, which he could derive from the reading of the passage. To return, however, to the subject. The new Board were to exercise a control over all the books used, either for moral or literary instruction, and no books were to be admitted into the schools but those approved of by the Board. As it was contrary to the principles of the Roman Catholic Church, that the Bible, without note or comment, should be put into the hands of children, of course the Roman Catholic members of the Board could never consent to the introduction of the Bible into schools; and as, even on the days to be appropriated for religious instruction, the books used were to be under the control of the Board, he thought he had proved that the new system not only did not provide for the instruction of the pupils in the Scriptures, but that it actually provided for the exclusion of the Scriptures. This was the opinion of persons to whose opinion the House was bound to yield the highest respect. It was the opinion of a great proportion of the Protestant clergy, and of the Presbyterian clergy, as strongly expressed in the petition of the Synod of Ulster. The whole of the clergy of the diocese of Dublin remonstrated with their right reverend head, for presiding at a Board where a system was to be followed up which they considered not only un-Protestant, but un-Christian; and their expostulation was supported by the diocese of Derry and the diocese of Kilmore, and was sanctioned by the venerable head of the Church, the Primate of

Ireland. He would not enter into any disputation with the right hon. Gentleman upon points of doctrine or faith, but he could appeal to authority to show that the system now proposed was most completely anti-Protestant. The right hon. Gentleman had attempted to justify the measure of the Ministry, by referring to the reports of the Commissioners. The first of these reports was in 1812–14; and that report certainly recommended a selection from the Scriptures. But he had never objected to a selection being made; though he called on the right hon. Gentleman to show that these Commissioners had ever recommended the exclusion of the Scriptures. So far from this being the case, he had the authority of a vote of the House of Commons for saying, that the report was never understood in that sense: but that the House thought the most judicious way of carrying into effect the report would be, by giving the Scriptures to be read without note or comment. The report of the Committee of this House, was made on the 14th of June, 1815. That report was made on the first petition presented by the Kildare-street Society; and, indeed, it was worthy of remark, that that Society took for its basis the very terms that the Commissioners made use of in the report of 1812-1814. The words were:—

> "The most efficient means for carrying into effect the recommendation of the report is by a system in which the appointment of the governors, the teachers, and the scholars, shall be uninfluenced by any religious distinctions, and in which the Scriptures, without note or comment, shall be used, excluding all catechisms or books of controversy."

This opinion was referred to a Committee of this House, and that Committee sanctioned it, as the most effectual means of carrying into execution the report of 1812-1814. When, therefore, the right hon. Gentleman justified his plan, by the report of 1812-1814, he was founding on that which would not bear him out. The next report was in 1825: and it was said, that the Commissioners then recommended something very similar to the present plan. To a certain extent that was true; but the right hon. Gentleman had forgotten to inform the House that the experiment was then tried by the Commissioners, and that, after a year, they were obliged to give up the attempt, and actually reported that the plan was totally impracticable. Their report, after stating that they had been permitted by the Lord Lieutenant to make the experiment, went on to say:—

> "It becomes our duty now to report to your Majesty that, in attempting to effect that object, we have experienced difficulties which have not only prevented the establishment of schools by which the experiment was to be tried, but which have induced us to desist altogether from any further proceedings for that undertaking."

When the right hon. Gentleman claimed some merit for following the plan of 1825, he had derogated from the character of that plan, for it contained no recommendation for the exclusion of the Scriptures, but only proposed that an attempt should be made to form a selection from the Scriptures, that should be acceptable to all classes of Christians. With respect to the report of 1828, that expressly provided for the reading of the New Testament, the Protestants to use the Protestant translation, and the Catholics the Douay version. He therefore, contended, without any fear of contradiction, that the present system went far beyond any that had before been proposed in its unscriptural character, and that not a single ground could be found to justify it. Not a single petition ever had been presented in its favour, though hundreds had been presented against it. He had some reason, he thought to complain of the insinuation as to motives which had been thrown out against those who opposed the measure. For his own part, he thought that the question was one which ought to be kept apart from politics, and he had abstained from saying any thing which would expose him to a charge of having made use of this occasion to embarrass the Government; but he must repeat his objection to the present system, as not only un-Protestant, but un-Christian.

Mr. *Crampton* was surprised to hear his hon. and learned friend charging the Irish Government with supporting a system which was at once anti-Protestant and anti-Christian. He denied that their system of education deserved any such opprobrious epithets. If it were either anti-Protestant or anti-Christian, why had his hon. and learned friend not produced some other plan to supersede it? His hon. and learned friend had quoted the opinion of the Primate of Ireland in support of his condemnation of the Government system. He (Mr. Crampton) did not know that the opinion of a living Primate was superior to that of a dead Primate: but this he did know, that the late Primate Stewart, as pious a Christian as ever adorned the prelacy, had approved of such a system. Such a plan had, moreover, been sanctioned by Doctor Elrington who was then provost of Dublin, and one of that class of divines whose authority had great weight with his hon. and learned friend, yet he had treated the plan as if it was a conspiracy got up between Ministers and the Pope. There was not an objection which the Gentlemen opposite had urged against the Government plan of education which did not apply with equal force to the plan of the Kildare-street Society. He did not mean to deny that that Society had been of great service in Ireland, but he thought their zeal to instruct the Catholics had, at length, outrun their discretion, and, the consequence was, that their schools were looked on with suspicion by many Catholics, as being supposed to favour proselytism. The principles the Society set out with, but which had at length been overlooked, were, not to interfere with any religious tenets whatever, to permit all the versions of the Testament to circulate in their schools, and, in fact, not to give the children any religious instruction whatever, beyond allowing the use of the Scriptures without note or comment. How this plan could be made out as furnishing the grounds of a scriptural education, he could not conceive, but yet his hon. and learned friend had eulogized it and had arraigned the Irish Government for not continuing a system which, he said, was so well calculated to bestow a Christian education on the children of Ireland; but if his hon. and learned friend would only refer to the evidence which Mr. Beever had given respecting the system of the Kildare-street schools, he would ask him whether, if it were such as Mr. Beever described it to be, it deserved the name of a system of Christian education? Was it such a plan of education as his hon. and learned friend would allow his own children to follow? How, then, could the promoters of the proposed plan be accused of withdrawing the Bible from the education of children, when the system of the Kildare-street Society was, that there should be no religious education under the auspices of the Society itself, but that the children in their schools should obtain their religious instruction from their respective teachers; and this was the mode of education which had been so much lauded and praised. From the state of Ireland, it was quite certain that no advantage to the people could be expected from a system which was opposed to the Roman Catholic clergy. On the previous evening, the hon. Member for Dundalk had boasted of the unanimity of those meetings at which he usually acted so conspicuous a part. It was for this reason that he begged to ask that hon. Gentleman, whether he had seen the resolutions that were passed at the meeting which took place at Bangor, in the county Down? That meeting was called for the purpose of supporting Scripture education in Ireland; or, as the advertisement stated, to petition against the new mode of education, whereby the Bible was to be excluded from all schools receiving parliamentary support. Now, he would ask, was that true? Was it fair? He asserted that no man could lay his hand on his heart, and assert, that that was an honest statement. After this there came a sort of exhortation in the advertisement, entreating every inhabitant of the parish, who loved the Bible, and who sought the moral regeneration of the country, to be present at the meeting. When the day of meeting arrived, a noble Lord took the chair; but, on finding that the feeling of the parish was against the Resolutions that were proposed, he said that they had not met there for discussion, but simply to pass the resolutions; upon which he withdrew, taking with him a portion of the meeting, while the remainder passed a series of resolutions of a very different character to those that had been originally proposed. He had described this meeting thus fully, because the hon. member for Dundalk had relied so fully on what he had called the unanimity of the Protestant mind. He would, however, tell the hon. Gentleman, that that unanimity did not exist, and that many of those who had joined these meetings had been deceived and deluded; nor, indeed, was that wonderful when they were told, that the Government was proposing a plan for taking away the Bible from the people of Ireland. Neither was he much surprised at the unanimity that prevailed at a certain class of meetings. The world, for instance, had heard a great deal about the meeting at Exeter Hall, at which very eloquent (he wished he could add, very wise) speeches had been made. Great zeal, too, had been shown at that meeting, but about as little discretion as had ever been at one time collected within the walls of any one building. And how was the boasted unanimity procured? He himself had felt some curiosity to attend the meeting, and, no doubt, if he had been able to do that, he should have taken an opportunity of vindicating himself, and the gentlemen with whom he had the honour of acting, from the charge of having brought forward an un-Christian plan of education. Having this object in view, a friend of his had supplied him with two tickets; but when he looked at the manner in which they were indorsed, he found that he could not, in honour or conscience, make use of them. Would the House believe, that, on the back of these tickets was inscribed a notice, that no one was to take any part in the proceedings who was not a favourer and supporter of the object of the meeting? And, after this, the hon. member for Dundalk took on himself to triumph, in the loudest tone, at the unanimity that had prevailed. He trusted that he was as sincere a Protestant as any Member of that House; but he could not help feeling that they had many things in common with their Catholic brethren: at the same time he was ready to say, that he saw errors in the Catholic Church which he should be glad to see removed. For his own part, he would make all men Protestants, if he could. But, on the other hand, he must respect the consciences of the Roman Catholics, as he hoped they would respect his: and he must think that they believed honestly in the doctrines which they professed: and how, therefore, could he concur in any demand that was, either by force or by fraud, to seduce the Roman Catholics from that religion in which they sincerely believed? The simple fact came to this—either the Catholics were to have no education at all, or else they must have the plan of education that was now proposed by the Government. He was of opinion that there might be a moral education altogether, independent of a religious one. He was quite ready to admit that the religious was the better education; but when people could not get the best, the next thing to insure was the second best; and he thought that two things were equally certain—the first, that no arrangement could be devised for giving the Catholics an entirely religious education—and the second, that that which the Government was proposing being a moral education, it was the next best thing that could be substituted for a religious education. He could not conceive anything fairer than the plan proposed, by which the children, for four days in the week, were to receive moral and literary instruction, not excluding the Scriptures, which could be used for the purposes of instruction on the evenings of those days; and on the remaining two days in the week the teachers of the children of each denomination or sect would have an opportunity of inculcating those principles which they severally and respectively professed. Nothing could be more unjust than the imputations and charges which had been made upon his Majesty's Government with reference to this subject; but he trusted the Government would be allowed to make the experiment they proposed, particularly since there was every prospect of success. The system, he was satisfied, was one calculated to contribute to the good and prosperity of the country.

Sir *Robert Bateson* said, he had as great a regard for the temporal and eternal welfare of his fellow-countrymen—the Roman Catholics of Ireland—as the hon. and learned Member who had just spoken, although he had stigmatized all the persons who did not agree with him as being desirous to uphold exclusive privileges, and to make the Catholics subservient to their views of proselytism. This discussion had arisen upon the petition held by his noble friend, the member for Armagh; but he (Sir Robert Bateson) could not undertake to say, whether his noble friend did or did not mean to support the petition from the Synod of Ulster. The only objection raised to the petition among the Presbyterians was that made by Mr. Carlisle; but, with that solitary exception, the unanimity of the Protestants of Ireland was unquestionable. At every Protestant meeting in Ireland the people had petitioned for a scriptural education; and, be the opinions of Mr. Carlisle what they might, nothing less than a scriptural education would satisfy the Protestant people of Ireland—and he fully agreed with them in the sentiment. The observation of the right hon. Secretary respecting the mutilation of the Bible had excited a cough. Whenever he spoke of the Sacred Scriptures, he should maintain the same reverence for their character, notwithstanding the sneers of the right hon. Gentleman, or of any other persons. He wholly denied that the public meetings upon this subject had been got up by factious means or by clamour. It was impossible for any one to say, that the meeting of the Synod of Ulster arose in any but moderate and sincere Christian feeling: even the right hon. Gentleman himself had eulogized the character of the members of that synod. The late meeting at Exeter Hall was the most splendid meeting ever witnessed in this great city, and, in every respect, highly creditable to all present—and he was proud of having been present. The hon. and learned Gentleman had appealed to a meeting at Bangor, as a proof that the north of Ireland was not unanimous against the new system of education; but he begged to tell the House, what was the cause of the difference of opinion that prevailed there. Some strangers from Belfast attended it, and, by their clamour, interrupted the proceedings; when the Chairman, and by far the most numerous and respectable body, moved to another place, and there passed their resolutions, uninterrupted by these noisy and turbulent persons. He would give his hon. and learned friend all the credit he chose to claim on account of the meeting, and he would then assert, that no one parish in the north of Ireland had applied for a school to the Commissioners. Every class of Protestants were nearly unanimous in declaring against it, with the single exception of the remonstrant Synod of Ulster. He denied that there had been any unwillingness, on the part of the parents of Catholic children, to send them to the schools of the Kildare-street Society; and they were only prevented from doing so by persecution, and the threats of the priesthood. If the Government could find no scheme for educating both persuasions, he wished that no grant should be made at all, and that Protestants and Catholics should each be left to educate their own poor. There was no man who desired to see the Catholic poor educated more than himself, and no man would be disposed to extend the means of educating his poorer countrymen generally with a more generous hand, or a more open heart.

Mr. *John Browne* considered the plan laid down now by Government for the dissemination of education in Ireland admirably adapted for its object. The question was, as respected the merits of the new and the old systems, neither more nor less than this —was one party alone, namely, the Protestants, to be allowed the advantages of education, as by the former system; or were those who professed other religions jointly, as by the latter system, to be permitted to reap an equal benefit from the funds voted by that House, for the purpose of improving the general population of Ireland through the medium of education? He believed in his conscience there was no real ground for apprehension on the part of Protestants, lest their children should be subjected to proselytism on the part of their Catholic neighbours, or their clergy, under the proposed system. He could not, consistently with his duty, remain silent under the circumstances of the proposed alteration in the distribution of the liberality of Parliament, but must express the grateful sense he felt of the manner in which his Majesty's Government had endeavoured to meet the wishes of the great body of the King's subjects in Ireland.

Lord *Mandeville* had heard a charge made that evening against some persons then present, for having suffered themselves to be led away by religious rancour, in the course of their political argument; but he would put it, in fairness, to the right hon. Gentleman, were there not individuals who had entered upon the arena of discussion upon the subject before the House, who never before had been known to have taken a decisive part upon politics of this kind—who, in fact, had been rendered political opponents of Government through a sense of their religious duty, and not religiously hostile through any political motives? He believed he might characterize Serjeant Pennefather, who spoke at the Rotunda, Dublin, and Dr. Benson, who took part in the proceedings at Exeter Hall, as persons of that description; and he could name other individuals quite as respectable, if necessary. The great difference between persons who had come forward on these grounds, and those who had supported Ministers, was, that the former believed that, having the power of dispensing instruction, they were answerable to God for the mode in which it was exercised; whereas, it seemed to him that the right hon. Gentleman treated the subject as one which depended upon the will of man, or upon a political necessity—a question of state policy, in fact. That right hon. Gentleman had expressed it as being the wish of Government to adopt, in public schools in Ireland, a combined principle of moral and religious instruction, as being that species which would most tend to soften down asperity and uncharitable feelings in the different classes of religious professors. Now, he felt but too convinced that the very contrary result would flow from this experiment, and that their attempt at a combined system would have the effect of mutual exasperation upon these people, long weaned from each other, as they had been, from the widely-opposed nature of their religious tenets. Between the Unitarian and the Church of England there was as little in common as between the latter and the Catholic. How, then, was it possible to obtain, under such circumstances, a combined principle of religious and moral instruction?—and instruction, without moral principle to guide it, was but imparting dangerous power, and thence imprudent and impolitic. In contradiction to the hon. and learned Gentleman, the Solicitor General for Ireland, who had drawn a distinction between religious and moral education, he must say, that it was impossible to obtain the latter result unless it was grounded on the former, and the only safe plan by which that could be achieved was, by means of the whole Scripture. Unless moral education proceeded upon this principle, the result could only be, as it was said knowledge was power, the power to do mischief. There was, it should be remarked, too, a difference between a synopsis of the principles of our religion, fairly and conscientiously collected, and a synopsis which had too much of the character of being framed for the political purpose of connivance at error. He could not eulogise a national system of religious instruction which was active in excluding Scriptural instruction for four days in the week, whilst it was but passive in permitting it for the remaining two days. The Seventh day the child would be with its parents, and the instruction it would receive from them, in all probability, would be chiefly warnings against what it had heard at school among other children, and cautions not to imbibe the little religious doctrines that were tendered to it. In his mind the only safe system upon which to act in this emergency would be, to grant to each equally religious and moral instruction, or to withhold altogether any contribution for education in Ireland.

Mr. *Wyse* fully concurred in the last observations of the noble Lord. That House, indeed the Government, had undoubtedly obtained a new character since the Catholic Relief Act of 1829, It was no longer exclusively Protestant, it was British, embracing the interests and representing the feelings of every class of British subjects. It was the inattention to this material fact, at the commencement of a totally new system in our domestic policy, which had caused all that error, which had been so conspicuous in the arguments on the opposite side of the House. Hon. Gentlemen ought to remember, that the House, consisting of Catholics and Protestants, was now legislating, not for Protestants only, but for Catholics and Protestants united. Thus, an end was put at once to that miserable monopolizing legislation, which had hitherto—for the purposes of a party—for the gratification of a section of the empire—surrendered all the interests and prosperity of the whole. Ireland could now be governed without these jobbers of the soil. The nation had been without any evil consequences, admitted within the pale of the Constitution, and henceforth in equal justice, and sound policy, all her institutions ought to be framed or modelled, not in the sense, or for the uses of this expiring oligarchy, but for the interests of the whole nation. Catholics sat in that House, they were eligible to the Bench, they might share the councils, or guide the armies, of the Sovereign; as long as that privilege existed, they were no less entitled to a full participation in every public institution—they paid for their maintenance and ought to enjoy their advantages. Applying these principles to education, it was preposterous to think that any system could be tolerated, at the present day, which was not accessible and suitable to the great bulk of the nation. In Ireland, that great bulk was Catholic, and precisely that portion, too, for whose education it was principally to legislate. Unless the system of education were such, as at all events, to satisfy that portion of the country, it was obvious that it must be nugatory, or next to no education at all. Till the establishment of the present Board, indeed up to the present day, the great majority of the people of Ireland, had had no education at all from Government. Pretexts had been made, illusions had been practised upon them, but nothing had been done to provide them with such an education as they would fearlessly avail themselves of. Thus it had been hitherto: some efforts had been made in Catholic times for the nation at large, and if these institutions had been preserved, remodelled, and improved, by the spirit of the times, the people of Ireland would not now be suppliants to the wisdom and generosity of that House for an annual grant in aid of national education. The people were not to blame for this, but the trustees to whom the preservation of those institutions had been intrusted. The Established Church in Ireland had been charged with the maintenance and enlargement of them. If they had done their duty, and not converted the funds allocated for these purposes, if they had not violated their oaths, Ireland would now be provided with such a proportion of literary establishments as to require little further aid from the Treasury. By the 28th of Henry 8th, c. 15, the Bishop of the diocese could not induct to a benefice, under a considerable penalty, any clergyman who did not engage to keep a school. The clergyman so inducted took an oath to that effect; which, if he afterwards did not observe, perform, and fulfil, after being fined for the first two offences, on the third he was liable to lose his benefice. "Then such dignitie, benefice, office, or promotion, spiritual, which such person or persons hold when such offence is committed, shall be taken, deemed, and adjudged to be voyde," and the patron was empowered to appoint anew, as though the incumbent had died, any thing or things by him afore then done notwithstanding. The first question on all this was, whether this oath was still taken, whether the obligation still existed? and then how was that obligation fulfilled? No doubt existed as to the first. The obligation was a Christian obligation, and tithes were given for its performance. The oath was still taken; but as to the performance of the oath, he would refer the House to its own reports. They would find that not one-half of the parishes of Ireland were provided, notwithstanding these oaths and funds, with parochial schools. The consequence had been, that Government, or rather the people, had been called on to establish them. But why had not the Bishops interfered? Were they not the persons to enforce the penalty, and were they not legally as well as morally answerable for the due observance of the statutes? The answer was obvious. The Bishops would naturally be the last persons in the world to interfere, for they were co-partners in the offence. The Bishops themselves, by 12 Elizabeth. c. 1, were obliged to provide "a free schoole within every diocese of this realme of Ireland," one-third of the expense to be defrayed from their incomes, the two other thirds by contributions on the incomes of their clergy. Did they deny this obligation? Quite the contrary. In the reports of the Commission of 1819, the Archbishop of Armagh, and other dignitaries, fully recognized it, and thought two-and-a-half per cent on the incomes of benefices would be no unreasonable contribution. By the report of last year, it seemed that not more than seventy-one free scholars were actually supported in these establishments throughout all Ireland. No one could deny that, had these contributions been punctually paid, there would have been a fund of nearly 20,000*l*., sufficient for the education of at least 1,000 pupils. Thus, he was right in throwing upon the Church the blame of the neglect which had hitherto required such large funds from the country. They had abused their trust, abandoned their duty, and the public had to pay for the abuse and abandonment. Through the whole of the reign of William, Anne, and the early Georges, they were constantly engaged in attempting to get rid of these education-taxes. They succeeded, and shifted them successively from their own shoulders, like the Church and other rates, on those of the people. Education not only did not flourish, but nearly died. Protestantism became alarmed, and then called in new auxiliaries to its assistance. The charter-school system sprung up for the avowed purpose of Protestantizing Ireland. The English parish schools, it was stated in the preamble of the Act, were not sufficient for the purpose, nor could the residence merely of the parochial clergy fully answer the end. The erecting of Protestant English schools was then declared absolutely necessary "for their conversion." This was surely not an education for Irish Catholics, or, indeed, for any Irishman. How well it was calculated "to convert them," to make dutiful children good citizens, instructed Christians, moral men, was best declared by the numerous reports of that House, the prosecutions ordered by its resolutions against the masters in 1825, and the solemn declarations since acted upon, that the system was so bad that it was altogether impossible to correct it. This was the first attempt to do the duty of clergymen of the Church of England for them, at the expense of the public; and, despite of its orthodoxy and proselytism, it utterly failed. But a second auxiliary started up to support the deficiencies of the charter-schools. A new conversion-trap was baited, for the salvation of the "poor benighted natives." The Society for the Suppression of Vice, under the patronage of a true Protestant Government, set out to do the work of national education. It languished after the first effort. Its religion and zeal were commensurate with Government supplies, and a third society—the Kildare-street—whose merits had been so often before the House, was found requisite to sustain its ineffectual operations. The time of taking men's souls by force had gone, and the Society for the Suppression of Vice, and the Kildare-street Society, both set out with the most earnest protestations of "non interference." Every one knew how it was observed. Hon. Gentlemen said, "there was none; we only required the reading of the Bible without note or comment." But if hon. Gentlemen, at the same time, stated, that they knew that the reading of the Bible without note or comment would detach Catholics from their communion, and still required it, as a condition for the advantages of a reading and arithmetical education, they assuredly made, as far as they could, or dared the conversion of the Catholic the condition or the result of accepting such advantages. The only question then, was, whether this was their opinion or not? To ascertain this, there was no better evidence, surely, than their own. He would give the House an extract, which ought to leave little scepticism on the subject; the evidence on this very subject, of the hon. member for Dundalk—He was asked what was the effect produced by reading and circulating the Scriptures out of schools? He answered,

> "There is one effect produced upon the juvenile part of the attendance: a great many instances have occurred, in which children, from reading the Scriptures, have left the Roman Catholic communion—
>
> "Children of what ages?—Between fourteen and eighteen, and I have known some instances as early as twelve."

A little further, he said:—

> "Every Catholic schoolmaster who enters into the service of the Society, and introduces the Scriptures into his school, immediately withdraws from his priest as to confession, which circumstance leads to a further alienation—from his reflection—and, at length, to a gradual abandonment of the whole system of Popery."

If this was not proselytism, and a system requiring such conditions not a proselytising system, he knew not what was. The hon. Gentleman was not the least surprised at the opposition of the Catholic clergymen to such a system, but he limited the extension of such opposition to clergymen alone. Were parents and relatives not to be taken into account? What parent would wish that his child should differ from him, on the most material of all human opinions, or willingly wish that this difference should exist, if it were in his power to avoid it? This was not reasoning on prejudice, but on the most commonly-recognized principles and feelings of human nature. Whether they were right or wrong was another matter; he stated the fact. To say, then, on one side, after such avowals, that the Kildare-street Society was not a proselytising society; and, on the other, that though it was, it ought not to have been opposed by the Persuasion and the persons it was designed to proselytise, were two propositions equally untenable and absurd. Indeed, the first was now no longer disputed, when no immediate advantages were to be expected from such disguise. The reverend Mr. Morgan, actual Moderator of the Synod of Ulster, in a late speech, not qualified or answered by any of his numerous audience, boldly rebuked this duplicity—

> "In announcing my plan, I would never say my object is not proselytism—I would say my object is proselytism; and I would boldly avow, that my purpose is to turn every Roman Catholic that I can. I would never hesitate in acknowledging as my object what really was my object. If Government will not educate the country aright, then let them not educate at all."

These men, it must be remembered, found no fault with the Kildare-street system, and prayed for its restoration. The Kildare-street Society was then "educating the country aright," in other words, was upholding a good system for proselytising the Roman Catholic. All this might have been acceptable to the proselytisers, but to the persons intended to be proselytised it was quite another thing. If the funds were wholly Protestant, there might have been some justice, though little sense; but where the funds were Catholic also, it was injustice as well as absurdity, to require the consent and approbation of the Catholics to a system avowedly or covertly designed against themselves. In all these things there was a spirit of fair-play which ought not to be departed from; but when this fair-play had to be evinced towards the immense majority, the argument and obligation were infinitely more strong. Such a system, on such a basis, it was quite obvious could never become general—could never become national. Yet, it was for the nation it was designed; and failing there—failing, especially, for that very class for whom, above all others, it was intended—it might be safely said to have failed in all. Such was the series of blunders pursued by Irish Governments, from a determination to make Irish education, right or wrong, a mere instrument of proselytism. But, besides being very absurd and useless, it was still worse, it was very expensive. He said true, and to prove it he would again refer to the Reports of the House:—

"*Charter Schools.*

For ninety years total . . .	£1,600,000
Since the Union to 1826	732,568
Private property, at lowest calculation per annum	7,067

Annual average, about 41,000*l.*"

For this, the average number of children educated was about 2,000 a-year; while the sum was sufficient to educate, on the Lancasterian, or any other good system, 30,000 with ease.

" *Association for Suppression of Vice.*

Grant from 1800 to 1824 .	£85,424 11*s.* 8*d.*"

What had been done for this? Established 106 schools, amongst them a model school, which utterly failed; distributed Bibles and Catechisms, for which, in one year, their bookseller received a profit of 1,906*l.*; appointed schoolmasters, so inefficient, that, between 1819 and 1824, not less than fifty-one were under suspension; and when it was provided by Parliament that the grant should be measured by the subscription, the society asked from Parliament 9,000*l.*, when their subscription did not exceed 1,000*l.*

" *Kildare Street Society.*

Granted from 1816 to 1830	£253,497 17*s.* 1*d.*
Subscriptions from 1813 to 1830 . . .	3,990 8. 8."

They had for this,

" Erected a model school, 30,000*l.*
Instructed, up to 1830, 1,746 masters.
Paid clerks, &c. 31,211*l.* 16*s.* 4*d.*
And established, on the largest calculation, 1,634 schools, educating 132,570 scholars."

When it was considered that the returns from Ireland in 1827, gave 11,823 schools of all kinds, educating 568,904 children, and that parochial education was calculated not to cost Scotland more than 18,000*l.* per annum, that with far inferior funds, the Netherlands had upwards of 600,000 children in a course of education, Sweden, 6,000 parochial schools, Venetian Lombardy, with a population of not more than 1,894,000, 1,402 elementary schools, established the greater part within these last six years, the House would not be much dazzled by these splendid results. It was, surely, then full time for Government to take this most important of all important public objects into its own hands. Economy, public intelligence, public morality, public tranquillity, required it. In getting rid of the old system, however, difficulties of course occurred. It was quite obvious it was not fitted to national purposes. But what to substitute in its place? Three projects presented themselves to every reflecting mind—1. To leave the whole arrangement to the people themselves—contribution levied by assessment—establishment of schools—payment of schoolmasters by Committee—management from beginning to end in the trustees themselves. This was the system pursued, and successfully, in the states of New England; and he should prefer it to all others—but coupled with a law, as there, to enforce its observance in every parish, in a rich, civilized, active, and compact community, enjoying the fulness of republican institutions, and habituated for years to their machinery and results. 2. Separate education, dividing Catholic from Protestant. This would be a direct contradiction to the whole of our public policy. If it were useful or necessary to unite both sects, it was surely of moment to attempt it where most practical—the young twig would bend, the old oak might resist. Then would come the separate appropriation of funds. The Catholics being in the majority, and the children to be educated (all of the lower classes) being immensely so—the far larger proportion of such funds should be applied to the use of the Catholics. If so much was said about a Protestant State expending money on Catholic institutions, what should we hear then? Participation was now called spoliation, equality persecution—What would it be called then? 3. There was then left no other plan but the present combined education, respecting the feelings and even the prejudices of both. But the petitioners, and hon. Gentlemen on the other side said, that these feelings had not been respected as far as they were concerned. But he would ask the House in perfect sincerity, after the evidence on both sides, had they brought forward a single proof to support this charge? If the Catholic was not compelled to read the Bible without note or comment, did it follow that they were prohibited from reading it at all? They might read it at all hours, and just in the manner which most suited them. But the Catholic claimed for himself the same privilege, to read it only when it suited him, and in the form that suited him. But, then, the whole Bible was not allowed to children of twelve years old—the Bible was not made a mere school-book—selections were read during school hours—the interpretation was left to the properest person—(the clergyman of each communion)—and this was audaciously called exclusion of the Scriptures, robbing the christian of Christianity, mutilating the Word of God, "dictating to the Holy Ghost." Why, the wisest and most pious men this country had ever produced had been of the very opinion recognized in this course of proceeding. What could be more absurd than to put a book into a child's hand, which he would defy any child to understand? Before the reading of the Bible, the most proper course would first be to teach the child how to read. It was just the same sort of common-sense piety which sent out such large exports of Bibles to the East, but made no arrangement for the reading and writing of the natives. He well recollected seeing more than one bale, in those countries, exposed for sale, the leaves cut out, and the covers converted into cartouches and tobacco boxes. Reverence, true reverence for the Holy Scriptures, would teach any man that they should not be read but where they could be read to advantage. The evidence given that evening, of one of the officers of the Kildare-street Society itself, showed that the Society's opinions were more just in this particular than those of its members, and that children were not allowed to read the Bible, even in part. Then, as to the "mutilations," there was not a school in the country that was not furnished with one or other of such "mutilated" extracts from the Holy Scriptures. The noble Lord would not distinguish between a selection for an unfair purpose, and a selection for convenience. Now, every one knew there was the greatest difference between both, yet had they been artfully confounded to throw odium upon each. No one could approve of the first, but to the second not even the noble Lord himself could object. The Common Prayer, the Liturgy of the Church of England, was a selection of this second kind, a selection to which no Catholic would object, for a very obvious reason, from its being a translation, for the greater part, from the ritual of his own Church. But it really required an apology for detaining the House any longer with a serious refutation of these futilities. Again and again had they been repeated, not by hon. Gentlemen only, but by the very authorities whom for any other purpose, or under any other circumstances those Gentlemen would have selected. Who, for a moment longer, could listen to such objections after hearing the suggestions of the fourteen reports? Scarcely one of the obnoxious portions of the present system, but had not been fully sanctioned in direct, plain, and unanswerable terms, by the high dignitaries whose names were affixed. "But," said the Presbyterians, "we have great respect for the names of the Archbishops of Armagh and Cashel, the Bishops of Killaloe and Ferns, and Mr. Leslie Foster; but they are not Presbyterians—they do not bind us." He could satisfy them on that head too. In their foremost ranks was a champion who, if his powers were measured by his language, ought to stand high, indeed, in the estimation of his fellow-soldiers. He called to them "to march shoulder to shoulder, and foot to foot in the cause of the Lord." No one could suspect his zeal for the whole reading the unmutilated word—the Bible—the whole Bible, and nothing but the Bible. What did he say of the project? Why, the Reverend Mr. Cooke, for he was the man, approved, rather by anticipation, of every single portion of this dreadful anti-Christian plan. This was no mere assertion. The man himself was asked, unfortunately, in 1825 what he thought of the propriety of giving a religious education?

"Do you think children should receive a religious education?

He answered—

"My own opinion as to the religious education of children is this: I look upon it in two ways—first, what they receive from their parents or schoolmasters, and, secondly, what they may receive, or should receive, from their clergyman. All I conceive the schoolmaster should do, is to teach them to read, &c."

On precisely the same ground he had omitted all reference to religious instruction in the Bill he had brought in last Session, thinking it the province of the clergyman, not of the schoolmaster, and believing such matters ought to be settled by the committees of the schools themselves, (a course easy where the school was all of one communion, not difficult, if treated in a Christian spirit, where it was the reverse). But what did Mr. Cooke say of "separate instruction"—"insufficiency of time for religious education"—"the whole Bible"—"selections," &c.? With regard to the first, it was his own practice—

"I took the school-houses, not going till after school-hours, or perhaps sooner: the school is dismissed, and every child that does not belong to me, goes away. I begin and catechise the school and other children who attend."

And now as to the sufficiency of time:

"Is one week in the course of a month sufficient for that purpose?—Yes, amply sufficient; and did the discipline of the school permit, one day in the month would nearly suffice."

The whole Bible:

"You would be quite satisfied with a system of instruction in which the children were made to repeat to the master, whether he were a Roman Catholic or a Protestant, and to get parts of the Scripture by heart, as preparatory for you?—Yes, I would resign the Catechism at school, and trust to my influence with parents at home, provided such a sacrifice were desirable for promoting a common education among all classes."

The very neutral territory of infidelity, where Catholics and Protestants could alone meet, referred to with so much horror by the hon. Member at this side of the House, was recommended by the Presbyterian, Mr. Cooke, as the best mode "to cut away asperities and prejudices." But in this his reasoning was quite just; and he added later—

> "I conceive where people have submitted to build a school-house, or where public money has been given, the school-house and its patronage ought to be public."

The Reverend Mr. Cooke was a very leading man amongst the Protestants against the system; and this would excuse his dwelling at such length upon his opinions. It was true, indeed, that such were not his opinions now; but they were his sworn opinions in 1825, and the House was left to choose between the Reverend Mr. Cooke, on oath, in 1825, before the Committee of the Lords, and the Reverend Mr. Cooke, in declamation before an excited people of 1832. If he had changed, so had many others, and if once, so he might change again. At all events, it was not for him or his party to inveigh. There were portions, indeed, of the project as it now stood to which he still objected. He should have wished, and he thought he had provided for such an object, by clauses in his Bill to have given the people a larger interference in the management of their schools. The power of assessment gave a right of interference of the justest kind, for it was founded on contribution. He should have liked to have left religious education to be managed less uniformly, but more to be regulated by the peculiar circumstances of each school: above all, he should have desired to have given it a more permanent and fixed character by legislative enactment, and not, by its precarious and experimental character to have invited attack. But with all these defects, he would hail the present plan as the beginning of better things; as the commencement of a thorough re-organization of national education in Ireland. Education must be made commensurate with population. Every citizen must enjoy it, it must be religious—moral—christian; but no one under the pretext of these names must be allowed to shackle or retard it. In the Netherlands, in Bavaria, Wurtemberg, France, Sweden, and in Prussia, where there were assuredly both Protestants and Catholics as enlightened and as zealous as any who sat in that House, a system scarcely differing in any particular from that under discussion, had been tried and succeeded. Why, then, should it not succeed in Ireland? If Government were resolved, it could and would succeed. They had only to go on and to try it fully and fairly. It was true, Ireland was divided by religious dissentions; but so Germany had been in her day, but what was she now? Her rulers had the courage to begin early, and posterity now enjoyed the fruits of their wisdom and determination. Intellectual light, like the physical, was made by the Creator of the Universe for the benefit of all his children; it was no longer possible, he was rejoiced to think, for any body of men to keep it from mankind generally.

Colonel *Conolly* said, the adversaries of the Kildare-street Society, charged it with restricting religious education, and then those same persons afterwards charged the same Society with giving too great and unlimited a religious education. Such conduct was monstrous. The Chief Secretary for Ireland, and the Solicitor General for Ireland, had recourse to such a line of conduct; and how did the Chief Secretary support his views? Why, he relied upon the testimony of a Mr. Carlisle. And who was Mr. Carlisle? Why, a person utterly disclaimed by the whole of that Synod whose petition the House had then to consider. The Synod of Ulster entirely disclaimed all connection or agreement with Mr. Carlisle; and yet the Chief Secretary for Ireland attempted to palm off that person's opinions upon the House as the opinions of the Presbyterians of Ulster. The Solicitor General for Ireland had cast the worst of censure upon the Kildare-street Society, and, having assisted in despoiling and annihilating it, he, in the same breath, said he did not wish to impute improper motives to it. The Chief Secretary said, the Kildare-street Society was abandoned because it did not answer the purpose for which it was founded; but he contended it was put down because it had succeeded to too great an extent to suit the views of its foes. He spoke as one intimate with the proceedings of the Society, and he declared, upon his honour and his conscience, that during the last year of its existence, that Society had been compelled to refuse many applications for schools, as it had already as many schools as its narrow funds enabled it to support. The Roman Catholic hierarchy were the great opponents of the Kildare-street Society. Ignorance was necessary to the dominion of the Church of Rome, and to maintain that dominion it was necessary that the whole people should continue uneducated, or only receive that sort of instruction which would prevent them from distinguishing between good and evil; and from ignorance the Kildare-street Society, if justly treated, would have freed the country. He declared solemnly that, as a member of the Kildare-street Society, he had ever most conscientiously endeavoured to spread that system of education which he believed to be the best benefit man could bestow upon his fellow man. The system now attempted to be thrust upon Ireland was at once impious and absurd. The great body of the members of the Established Church, of the Presbyterians, and of the other Protestant Dissenters from the Established Church were, upon the principle of Christianity, thoroughly opposed to this system; and if it were persevered in, instead of giving peace to Ireland, it would only add to her miseries.

Mr. *Henry Grattan* said, he must add his approbation to those of other hon. Members for Ireland who detested the exclusive systems of education which had prevailed there, and advocated the adoption of the more liberal system proposed. He hoped to see such a course adopted as would reconcile Catholic and Protestant, and unite them in a lasting bond of union, for the promotion of the true interests of Ireland, and he expected his country would obtain that advantage by the proposed plan. He deprecated the course which the hon. and gallant member for Donegal had that night pursued. The speech which he had just uttered was totally at variance with the principles which he had some years since expressed. He had that evening calumniated his countrymen, by asserting that the lower classes of them were so ignorant, and so completely void of moral feeling, as to be incapable of judging between right and wrong. It was, however, the misfortune of Ireland ever to be stabbed to the heart by those who had fed and fattened on her vitals, but, not content with traducing his countrymen by wholesale, he had attacked a reverend gentleman whose only fault, in the eyes of the hon. and gallant Member was that of his being an advocate for a liberal and conciliatory system, and who was prepared to co-operate in obtaining so desirable an end. Far different, indeed, was the conduct of the hon. and gallant Colonel, though with one point of the new plan he could not find fault, for he had been Chairman at a meeting at which it had been resolved that the Bible should not be used as a school-book. The opponents of the new system said, politics had nothing to do with their conduct. This was a declaration easily made, but it was not borne out by their conduct; he was prepared to maintain that the objections made were in reality pretences, the real object being a contest for power, which the exclusives feared was about to depart from their grasp, and they could not possibly part with it without the greatest reluctance. The opponents of this new system rivalled the hon. member for Wigan in their attacks on the Government. The hon. and gallant Colonel and his friends called the Government puny and imbecile, while the hon. member for Wigan called the Government a noodle-and-doodle Government. The attacks, however, would prove vain. The country had thrown off the old trammels, and would no longer bear an infringement upon the rights of conscience or upon their liberties.

Colonel *Conolly* hoped the House would permit him to say a few words in reply to the assertions of the hon. and learned member for Meath (Mr. Henry Grattan). That hon. Member had taken from a newspaper a report of sentiments ascribed to him, which he never uttered. He had not been present at the public meeting alluded to, nor even in that part of the county; and he must add, that in all that the hon. Member said with respect to his conduct, he had equally departed from truth and candour.

Mr. *Henry Grattan* assured the hon. Member he was quite mistaken with respect to the nature of his observations; and he hoped that the hon. Member would explain what he meant by saying that his assertions were void of truth and candour.

Colonel *Conolly* said, that the hon. Member had asserted, that he (Colonel Conolly) was uttering opinions in one place when it was known he was in another, and therefore he thought his statements were deficient in candour.

Mr. *Henry Grattan* repeated that the hon. Member had filled the Chair at a meeting such as he had described.

Mr. *O'Farrell* returned his thanks to the Government for having put the system of national education on a fair and equal footing. He also thought that the speech of the hon. member for Donegal carried its own antidote with it. It was full of that violent feeling which unfortunately prevailed in Ireland, but it was not in this country necessary to reply to it, as here it would have no weight.

Sir *Robert Inglis* hoped, as there appeared some doubt whether the hon. and gallant Colonel and the hon. member for Meath alluded to the same meeting, and as misapprehension existed on both sides, the question would not be pursued any further.

Mr. *Kearsley* said, that if his Majesty called upon him to give his services, than which many things more unlikely had come to pass, the first thing he would do would be to order the "Rogue's March" to be beat for both parties.

Mr. *Ruthven* declared that the whole opposition to this system was purely of a political character, and denied that the feeling of the Protestants of Belfast and its neighbourhood was spoken by the parties who assumed to be the Protestant organs.

Petition read.

Mr. *James E. Gordon* said, in moving, that the petition should be printed, he should take the liberty of making a few observations, in reply to what had fallen from the right hon. Secretary. He had not, in presenting the petition, dwelt on the subject of it further than he was publicly identified with the question. It was said, that the present Government had only adopted a plan which had been determined upon by several Committees and Commissions, and were giving effect to the recommendations of such Committees and Commissioners. There was this difference, however, and it was a material one, that the present Government had adopted the bad advice which had been properly rejected by previous Governments. It ought also to be recollected that effect could not be given to the Reports of 1824 and 1826, because the respective clergy did not agree as to the particular extracts from the Scriptures which ought to be selected. It was with him a serious objection that by the present Board, constituted as it was, were not only made the selections but the translations of the Bible. A great deal had been said about the impositions and delusions which it was asserted had been practised in order to obtain the signatures of the 250,000 Protestants who signed the petition to Parliament, and it was added, that there was no ground for charging the Government with excluding the Bible. He did not mean to say, that any such direct measures had been adopted, but he contended, that the tendency of this new plan would be to exclude the Scriptures from national education. He deprecated a plan which intrusted the national education to a Board composed of Protestants, Presbyterians, Roman Catholics, and Socinians. He denied that the Irish Roman Catholics were opposed to the reading of the Bible. It was their priests who excluded the Scriptures, and he thought it unfair and unwise to legislate in obedience to the wishes of that class. It had been asked, why those who were opposed to the new system did not propose one of their own? They were not called upon to do so. They had a system in operation which diffused the lights of scriptural education to 440,000 persons, and with that they were satisfied. All they asked of the Government was, not to interfere. He called upon them, as they did not support the Kildare-street Society, not to give aid to any other, but rather leave education to the benevolence of a Christian public. He was prepared to prove there were 200,000 Roman Catholic children receiving education under the former system, which the new plan would entirely supersede; and he would conclude by expressing his impression that the popular feeling was in favour of the Kildare-street system.

Mr. *Sheil* regretted that the subject had not been brought forward in a way to obtain a regular vote on the question. Gentlemen on the other side had taken up a position wholly untenable. It was of importance that public opinion in Ireland should be set right. He denied that the Scriptures had been withheld from Roman Catholic children. How did the fact stand? Two days in the week were set apart for religious instruction. Protestants, Catholics, Presbyterians, and even Socinian sects, were to receive religious instruction according to their faith. The Government had not taken away the Bible. He had been delighted that night with the honest mild speech of a noble Lord (Mandeville). He some time since considered that noble Lord intolerant, but that night had altered his opinion. God forbid the children of Ireland should be deprived of the Bible. From the Scriptures came light and happiness here and hereafter.

Mr. *Charles Grant* observed, that the noble Lord, the member for Huntingdon (Lord Mandeville), had said, that there was this distinction between him and those Gentlemen who agreed with him and the Government, that, whereas the former thought that education was a matter of religious obligation, and that his Majesty's Government ought to attend to the matter of education as such, the latter thought that it was not a matter of religious obligation, but of state policy. On the part of the Government he (Mr. Grant) begged to repel that observation—he should have, perhaps, said aspersion—if it had not been accompanied by so much kindness and courtesy on the part of the noble Lord. He begged to say, that his Majesty's Government did regard the education of the people as a matter of religious obligation, inasmuch as it considered that the security and prosperity of the kingdom depended on the religious principles of the people of England. Unless the people of England were given a religious education, grounded upon the sacred Scriptures, it was vain to talk of the greatness and the prosperity of the empire.

Petition to be printed.

GENERAL REGISTRY BILL.] Mr. *Trevor* said, he rose, pursuant to the notice he had given, to move that the county Members of England be added to the Committee of Inquiry on the Registry Bill. He was induced to take this course, because the landed interest was that most deeply interested in the proposed Bill, and as assertions had been made, that the petitions which had been presented were got up by interested persons, he wished to take every means to convince the House, that such an assertion had no foundation; and he knew no more efficient means to attain that object, than to collect the opinions of the constituents of the county Members in a Committee.

Mr. *Paget* thought the Motion unnecessary, as fourteen county Members were already on the Committee; and it seemed impossible to insinuate, that the slightest partiality had been practised in their selection.

Mr. *Hodgson* supported the Motion, on the grounds that a majority of the Members in the Committee had expressed opinions in favour of the measure, and that they were not connected with that part of the country from which the objections chiefly came.

Lord *Althorp* said, that it would be extremely inconvenient to have all the county Members of England on this Committee, and it was not probable that they would all attend if they were appointed.

Sir *Charles Wetherell* inquired whether the noble Lord would consent to one Member for each county being appointed?

Mr. *Labouchere* said, it was impossible that any committee-room could hold such a number. It was better that the hon. Member should move, in another form, that the Bill shall not pass, than to effect his object in this circuitous way.

Sir *Edward Sugden* recommended the hon. mover to postpone the Motion, and make out a list of Members to be added, not with a view of destroying the Committee, but of adding to its efficiency.

Motion withdrawn.

LORD CHANCELLOR PLUNKETT.] Mr. *Dawson* rose to move for a copy of the appointment or appointments of William M'Causland and Robert Long, as joint Secretaries of the Lord Chancellor of Ireland; or, if appointed verbally, the date and terms of the appointments; the ages of the respective parties at the time of their appointment; the total amount of the emoluments of the office of Secretary since their appointment; by whom the same have been beneficially received, and in what proportions; and the number of days in every week in which such Secretaries have been employed in the duties of their office, distinguishing the attendance of each. He said, that the object of the present Motion was, to ascertain whether the Lord Chancellor of Ireland had acted legally in appointing two officers jointly to fill the office of Secretary. It had been his intention to content himself with moving for the present return, without making any comments on the subject, until he learned, from the reports in the newspapers, that the notice which he had given of the Motion had drawn from the Lord Chancellor of Ireland some injudicious observations, which he could not help feeling as insulting to himself.

Mr. *Stanley* rose to order. He conceived that no Member had a right to found a justification for his deviating from the course which he had originally chalked out upon a report of a speech delivered in another place to which it was not regular even to allude, and more particularly when the object of that deviation was to make a charge against an individual who was not present to defend himself. If the hon. Gentleman had any charge to make, there was an abundance of ways in which he might bring it forward, and, at the same time, afford an opportunity to the noble person whom it affected, of meeting it; but no opposition being intended to the present Motion by the Government, he thought that the hon. Member would be guilty of a breach of order, if he should make any statement now, in consequence of observations made in another place.

Mr. *Dawson* had heard the right hon. Gentleman's criticism with a great deal of surprise, and was not at all convinced that the course he was pursuing was disorderly. He had stated, that he would have moved for the present return without making a single observation, had it not been for a speech which he had seen reported in the newspapers, and attributed to the Lord Chancellor of Ireland. He did not say where that speech was made; but, in consequence of the notice which he had given, of moving for the present return, certain observations had been called from the Lord Chancellor of Ireland in the other House of Parliament.

The *Speaker* said, that nothing was more clear than that any allusion to what occurred in the other House of Parliament was disorderly.

Mr. *Dawson* would content himself then with remarking, that he had observed in the newspapers observations, which he would read, and he would leave it to the House to conjecture where they were made. He was sure that, when he read them, no Gentleman of proper feeling would object to the course which he intended to pursue. They were these—"Lord Plunkett said, that observations which were quite unfounded had gone forth respecting the emoluments of his office as Chancellor of Ireland, and respecting the emoluments of some members of his family, and notice of a motion in reference to those emoluments had been made in another place; his object, then, in making the Motion which he should submit to their Lordships for certain returns was, to enable him to meet those calumnies, and, by God's blessing, he would expose and refute them." The noble and learned Lord seemed to be aware, that if he did refute them, it must be, as he himself said, by the interposition of Providence; for, so far as he had hitherto endeavoured, by means of his own, he had signally failed. In making this Motion, he wished to ascertain the legality of the Lord Chancellor's appointing two persons to fill the office of Secretary. That there were two persons now filling that office, and participating in the emoluments, seemed to him to be proved by this, that when he (Mr. Dawson) had applied, early in the Session for certain papers relating to the Court of Chancery in Ireland, the returns were signed by "William M'Causland and Robert Long," not as Secretary and Assistant-secretary, but as joint Secretaries. Since that time, circulars had been sent to the Lords-lieutenant of Counties in Ireland, signed "Robert Long." Now, he had been given to understand, that Mr. M'Causland was the Secretary to the Chancellor, and that Mr. Long acted only as that gentleman's assistant. Early in the Session, he had complained that excessive fees were demanded for the renewal of the Magistrates' Commissions; and after many debates, 12*s*. out of the sum originally exacted (2*l*. 13*s*. 6*d*.) were given up, being the amount of the fees taken on account of the Chancellor's purse-bearer, train-bearer, and hall-porter; but the Secretaries preserved the remaining 2*l*. 1*s*. 6*d*., which had been taken on their account. The sense of the House, and the opinion of the country had been expressed, in a marked manner, respecting the conduct of the Irish Lord Chancellor towards the Master of the Rolls; the country, in fact, was ringing with expressions of disapprobation from one end to the other—when these paltry fees, amounting to 12*s*. out of 2*l*. 13*s*. 6*d*., were tardily wrung from the greedy officers. If those two persons, Mr. M'Causland and Mr. Long, were jointly Secretaries of the Chancellor, he would say that Lord Plunkett had done an illegal act in their appointment. The Act of Parliament gave him power only to appoint one Secretary. In the 4th George 4th, cap. 61, the officers of the Court of Chancery in Ireland were particularly stated, and their fees were set down in the schedule to that Act. It might be said that the Chancellor had a right to appoint an assistant Secretary, but no such officer was known to the law. Under Lord Lifford, Earl Clare, Lord Ponsonby, Lord Manners, and Sir Anthony Hart, no such person was known. But if Mr. Long was merely a clerk in the office of the Chancellor's Secretary, and was not actually one of the joint Secretaries, by special appointment of the Chancellor, was it not treating the Lords-Lieutenants of the counties with little deference, when official circulars were addressed to them signed by a clerk in that office, instead of being signed by the Secretary himself? It appeared that when the Lord Chancellor appointed Mr. M'Causland, that gentleman was but nineteen years of age, and was residing in England as a student at the Bar, from whence he was called to fill this office. Several members of the Chancery Bar being aware of this, formally requested of the Lord Chancellor that Mr. Long might continue to act as his Lordship's Secretary, on account of the inexperience of the former gentleman. But what did Lord Plunkett? In appearance he assented to their proposition, but in reality he appointed the young and inexperienced Mr. M'Causland his Secretary, with Mr. Long, the competent and experienced person, as the assistant of the gentleman, with a salary of 500*l.* a year. Was that a proper exercise of the patronage of that high judicial officer? The public were in that way compelled to pay about 2,000*l.* a year to Mr. M'Causland, who could not do the business, and 500*l.* a year to Mr. Long, who did it. If the business, then, could be done effectually for 500*l.* a year, why were the public saddled with the additional 2,000*l.*? The country was dissatisfied, and justly dissatisfied, with the way in which the Lord Chancellor of Ireland had exercised his patronage. The public of Ireland were disgusted at the manner in which the business of the Court of Chancery was done. When Sir Anthony Hart was removed from that Court, he (Mr. Dawson) said, that he was an able Judge, and that the public were satisfied with the manner in which he had fulfilled his duties, and therefore he ought to be continued in office, which would have prevented the country being burthened with a retiring pension of 4,500*l.* a year on his account. But it was then replied, that the office of Chancellor of Ireland was a political office; and that as Sir Anthony Hart was not of the politics of the new Ministry, it was necessary to remove him. The consequence, however, of that assertion was, that since the 1st of March last year the political Lord Chancellor, who was appointed in the room of Sir Anthony Hart, had been absent from his Court six months—or the entire of two Terms, Trinity and Hilary. He had deputed a person to do his duty in his absence; and whom did the House suppose to be the person on whom he had fixed as his deputy? The House would hear with surprise, that it was the same Master of the Rolls whose claims to have an opportunity of establishing his rights were met by the same Lord Chancellor in such a way as the House had already heard. In the absence of the political Judge from his Court, during the last Hilary and Trinity Terms, the whole of the heavy and important business of the Court of Chancery was imposed upon the Master of the Rolls? How was the Chancellor employed in the meantime? Indeed, the conduct of Lord Plunkett, as the political Chancellor, had not been such as to raise his character. The language which he (Mr. Dawson) had read, as stated to have been uttered by that noble and learned Lord in another place, was such as might more befittingly seem to come from Billingsgate. When mention had been made of the number of the learned Lord's relations, who held lucrative offices, the learned Lord, if correctly reported, made observations, and used language which could only excite disgust in the minds of every gentleman in the country. Since then, however, he had been favoured with an account of the situations which the Lord Chancellor and his family held, and of the sums which they drew from the public. He was not now going to speak, as the noble Lord had spoken, from newspaper reports, but from a statement which had been sent to him by a gentleman whom he considered to be of the highest authority. That statement was a curiosity in the annals of patronage, showing the offices which were held by the family of the gentleman at present Lord Chancellor of Ireland. They were as follow:—

"The Lord Chancellor (Plunkett) with a salary of 8,000*l.*

"The Hon. P. Plunkett, his Lordship's Purse-bearer, 800*l.*

"The Hon. P. Plunkett again, as Secretary of Bankrupts, 900*l.*

"The Hon. P. Plunkett again, as Counsel to the Chief Remembrancer, 300*l.*

"The Hon. D. Plunkett, as Prothonotary to the Court of Common Pleas, 1,500*l.*

"The Hon. D. Plunkett again, as Examiner to the Court of Common Pleas, 100*l.*" [For, (said Mr. Dawson), nothing is too little for these gentlemen.]

"There were, besides, under these gentlemen three general clerks with a salary of 500*l.* each; principal assistant of Common Pleas relating to judgments, 500*l.*; second assistant, 200*l.*; third assistant, 500*l.*; and clerk of the pleading in the affidavit office, 400*l.*; with other clerks whose united salaries amounted to 1,000*l.*; in all, 4,100*l.*

"The Hon. John Plunkett, as Commissioner of Inquiry as to the fees of the Courts of Justice, had 1,200*l.*

"The same Hon. J. Plunkett, as Assistant-Barrister, 700*l.*

"The same, as Crown Council in the Munster Circuit, 800*l.*

"The same, as Council to the Police, 300*l.*

"The Hon. and Rev. T. Plunkett, as Dean of Down, had 2,500*l.*

"The Hon. and Rev. W. Plunkett, as Vicar of Bray (a very appropriate title, by-the-bye), 800*l.*

"Mr. W. M'Causland, jun. the Lord Chancellor's Secretary, 2,000*l.*

"Mr. Long, 500*l.*

"Mr. W. M'Causland, sen., brother-in-law of the Lord Chancellor, and father of the young gentleman who held the office of Secretary (as Law Agent to Charitable bequests, 1,500*l*.

"Mr. W. J. M'Causland, another son of the last-named gentleman, Secretary to the Schools on the foundation of Erasmus Smith, 500*l*.

"Mr. James M'Causland, Solicitor of the Hibernian School, 100*l*., and Solicitor for Benches of the Society in King's Inn, 200*l*."

Adding to those one or two other offices, the statement which he (Mr. Dawson) had received, made the emoluments of that ill-paid family appear to be about 27,850*l*. By these figures it appeared, that being a political Lord Chancellor, was a pretty lucrative sort of an appointment; and then if he considered the consistency of the noble and learned Lord's political life, he must say he had turned it to good account. He had been Attorney-General to Lord Grenville, and retired from office in consequence of being foiled in an attempt to remove some of the disabilities under which the Catholics then laboured. He then became Attorney-General under Lord Liverpool, who was the bitterest enemy of the Catholics. He was then offered the office of Master of the Rolls by Mr. Canning, who was the deadliest enemy of Reform, and whose last words were "No reform;" and the noble and learned person concluded by becoming Lord Chancellor under the noble Lord opposite, whose motto was "Reform, and nothing but Reform." There was an advantage in being a political Chancellor. When Lord Plunkett was asked why he did not decline acting as judge in his own cause, his answer was, "I am a political Chancellor." When this noble and learned individual should read a report of what he had that night said of him, he might perhaps bestow upon him some of the abuse and sarcasms for which he was so remarkable; but he regarded that not. He had stuck to the truth, and, strong in the honesty and justice of his cause, he might exclaim with Brutus—

> "There is no terror, Cassius, in thy threats;
> For I am arm'd so strong in honesty,
> That they pass by me as the idle wind
> Which I respect not."

He should conclude, by moving for the papers he had mentioned at the beginning of his speech.

Mr. *Crampton* rose for the purpose of protesting against the statements contained in the speech of the right hon. Gentleman who had just sat down, and for the purpose of informing the House that nothing could be more inaccurate than the information—the anonymous information—

Mr. *Dawson:* It is not all anonymous.

Mr. *Crampton:* Whether it was anonymous or not, he could not help saying, that, in the whole course of his life, he never heard a grosser mis-statement of law and of facts, than that which proceeded from the right hon. Gentleman. He had told the House, that the Lord Chancellor for Ireland, instead of attending to his duty in the Court of Chancery, had been spending his time in England, and occupying his attention with politics. He had told the House, that during last Hilary Term, the duties of the noble and learned Lord had been discharged by the Master of the Rolls for Ireland—of whose judicial talents it would be impossible for any one to speak too highly. But what was the fact? It was anything but in accordance with the statement of the right hon. Gentleman opposite. Never had he been more untruly informed, than when he made the statement which the House had just heard respecting the conduct of the Lord Chancellor. He was himself a practitioner in the Court of Chancery, and, without disparaging any of the predecessors of the noble Lord, he must say, that not a man who attended that Court would hesitate to bear testimony to the fact, that never had its duties been discharged with more talent, diligence, or dispatch, than they had been by the noble and learned Lord whose conduct had been that night brought under discussion. Never had those duties been discharged with more satisfaction to the suitors and to the Bar, than since the acceptance of the Chancellorship of Ireland by the noble and learned Lord who now held the Seals. The discontent which existed, if there could be said to be any discontent, arose from the cry of a disappointed party, and not from any real dissatisfaction on the part of the people at large. As to the statement, that the noble and learned Lord was absent during any part of Hilary Term, there could not be a grosser error. He was not absent from Ireland during any part of Hilary Term—neither was he absent from the Sittings after Term—he did not leave a single cause unheard. What, then, became of the information of the anonymous informant of the right hon. Gentleman? In the former year his conduct was precisely similar: he did not leave the Court of Chancery until all the causes were disposed of. Hence, then, he should be fully justified in saying, that the absence of the Lord Chancellor did not impose any increased duties upon the Master of the Rolls. He confessed he could not but wish that the right hon. Gentleman, instead of possessing a seat in that House, had a seat in another place, and had brought forward his Motion there, that he might have received an explicit and satisfactory answer, which his speech deserved, and which he (Mr. Crampton) felt himself inadequate to give. He knew that the right hon. Gentleman brought forward the present Motion reluctantly, and from a sense of duty solely; and, therefore, he the more regretted that it was not in another place, that the question was to be discussed. There was not a single point of the right hon. Gentleman's statement which was not either unsound in law or utterly without foundation in fact; and all that he had heard respecting the appointments of the Secretary to the Court of Chancery was just as true as the rest. It had been stated by the right hon. Gentleman, that there had been no instance of the appointment of Assistant-Secretaries of the Court of Chancery.

Mr. *Dawson*: Joint Secretaries.

Mr. *Crampton* was perfectly willing to be corrected; but it happened, in this instance, that the correction related to a matter of no importance. Such was not, however, the fact, for Lord Manners had appointed a Mr. Lockwood to the office of his Secretary, at a salary of between 3,000*l.* and 4,000*l.* a-year, while all the duty of the office was transacted by an assistant, for a salary of 340*l.*; when Lord Manners retired, he was followed by Mr. Lockwood, and Sir Anthony Hart appointed Mr. Long, who retained his office as Secretary, until Sir Anthony Hart retired, when the present Lord Chancellor appointed Mr. M'Causland, therefore, he had only followed the example set by his predecessors. The right hon. Gentleman, among other misrepresentations and exaggerations, had stated, that the salary enjoyed by Mr. M'Causland was 2,500*l.* This he assured him was not the fact. It only amounted to 2,200*l.* In respect to that gentleman's age, however, he had not exaggerated, for he had represented it to be nineteen, when, in fact, it was twenty-three. He (Mr. Crampton) had opportunities of judging of that gentleman's competence for the office, and he had no hesitation in saying he was as competent for it as any individual with whom he had ever met. He had attended to its duties most sedulously and anxiously, and had given very general satisfaction to all the persons engaged in the practice of that Court. With respect to any observations which the right hon. Gentleman had made respecting the conduct of the Lord Chancellor, he would venture to say, that he had derived no information whatever respecting him from Mr. Long, for he was sure that that individual felt deeply indebted to the Lord Chancellor for his kindness in retaining him in the office. Mr. Long was not, he assured the House, retained in that office as Joint-Secretary. He was considered in such a light from his having expressed a wish, on being appointed Assistant Secretary, that, as he had before filled the office of Secretary, and was unwilling to descend from the rank of that office, he might have the name of Joint-Secretary with Mr. M'Causland. With this wish Lord Plunkett (in kindness, at the recommendation also of Sir Anthony Hart) complied, and he felt convinced that nothing but party feeling had induced the right hon. Gentleman to make an accusation against that noble Lord for so doing. As to the alleged violation of an Act of Parliament, if there was no Act violated but the 4th of George 4th, he maintained, that the argument of the right hon. Gentleman was nugatory; for that Act solely applied to the regulation of the fees to be charged by officers then in existence, but in no way established the illegality of a joint appointment to any office. In that same Act of Parliament, the fees of "*the Registrar of the Court of Chancery*" were regulated, when it was well known at the time that there were two Joint-Registrars. The right hon. Gentleman had alluded to a letter addressed by the Lord Chancellor's Secretary to the gentleman who had taken out Commissions of the Peace, acquainting them that certain portions of the fees had been abolished, and on this letter had founded an attack on his noble friend for not having ordered all the fees to be abolished. Now, to explain this, it was only necessary to mention, that the letter alluded to was written in pursuance of a Treasury minute, which only directed the reimbursement of a portion of the fees. But, if the right hon. Gentleman had gone a little further, he might have stated to the House, that a letter had been written by those Gentlemen, in pursuance of a second Treasury minute, announcing further reimbursements of the fees originally charged on the taking out of Commissions of the Peace. Much had been said in accusation of Lord Plunkett respecting his disposal of certain situations among members of his own family. The right hon. Gentleman had read from a paper, which appeared to him to be the gist of vulgar speeches made at vulgar places, assisted by extracts from comments of newspapers, at the head of which was the name of Lord Plunkett as the receiver of public money to the amount of 8,000*l.* a-year. Had the right hon. Gentleman been instigated by any spirit of fairness, instead of being spurred on by politically hostile motives, he would have stated to the House, that Lord Plunkett was the first Irish Chancellor whose salary was but 8,000*l.* a-year, every one of his predecessors in that office having received 10,000*l.* a-year The total amount of public money received by Lord Plunkett and his family—was stated to be 27,850*l.* a-year; but he begged to remind the House, that in this sum was included the salaries of almost every clerk in the office of the Deputy Prothonotary of the Court of Common Pleas. He would conclude by expressing his opinion, that the remarks which had fallen from the right hon. Gentleman, impugning the conduct of Lord Plunkett since his accession to the Seals, were alike odious and unworthy of their author. He had, however, he trusted, removed any impression which they might have created.

Mr. *Henry Grattan* maintained that the statement brought forward by the right hon. Gentleman (Mr. Dawson), respecting the large sums alleged to be received by Lord Chancellor Plunkett's family out of the public purse had been greatly exaggerated. Such was the case with respect to the appointment of Mr. M'Causland, one of the offices which he held having been given him before Lord Plunkett became Chancellor. As to the laugh which had been raised at the expense of the vicar of Bray, that reverend gentleman only received 230*l.*, instead of 800*l.*, as had been stated by the right hon. Gentleman. Lord Plunkett had, undoubtedly, appointed several of his family to offices, but they were fully competent to perform the duties imposed upon them; and as the public must have persons to perform such duties, the persons who now filled those places being connected with the Lord Chancellor was no injury to the country. As to the charge which had been made against Lord Plunkett for neglecting the duties of his own high office, he would content himself with repelling it in the strongest manner, and with declaring that those duties had been performed by the Lord Chancellor to the entire satisfaction of the Bar of Ireland. As he had also only followed the usual custom in the appointment of his Secretary, he should take the liberty of moving, as an amendment to the Motion before the House, for similar returns with respect to Richard Lockwood, Esq., as Secretary to Lord Chancellor Manners, and Robert Long, Esq., as Secretary to Lord Chancellor Hart.

Sir *Edward Sugden* said, that there could be no graver question for the consideration of the House than that of the absence of the Lord Chancellor of Ireland from the duties of his high office; and his right hon. friend had not brought it forward except on authority sufficiently valid to justify the course he had taken. From what had been advanced, however, by his hon. and learned friend opposite (Mr. Crampton), he was bound to believe that there was a mistake on some side, and, until there had been further inquiry he would suspend his judgment. He begged to ask his hon. and learned friend, whether he meant to say that the Lord Chancellor had heard all the causes of his Court, without imposing any burthen on the Master of the Rolls?

Mr. *Crampton:* Certainly, except one cause, in which the Lord Chancellor was himself a party.

Sir *Edward Sugden:* Then, as there were two conflicting statements, both originating in respectable sources, he would repeat that it was requisite that the circumstances should be inquired into. He would say for his right hon. friend that he had the best ground for advancing his statement, and, in a similar situation, he should have felt it his duty to have adopted a similar course. His hon. and learned friend had declared, that the Lord Chancellor of Ireland had not been absent from his court or neglected his duty.

Mr. *Crampton:* I said that the Lord Chancellor was present in his court, and had disposed of all the causes during Hilary Term in which he has been charged with being absent, but I did not say that he had never been absent.

Sir *Edward Sugden* declared that he had been labouring under the greatest delusion on this point, for he had understood his hon. and learned friend to say that the Chancellor had never been absent from his Court. No question had been asked concerning attendance in Trinity Term.

Mr. *Crampton* had not spoken as to Trinity term last year. Indeed, he rather thought that the Chancellor had not been in attendance during the whole of that Term; but he could say that his business had not been discharged by the Master of the Rolls, or any other Judge, but had been actually performed by himself.

Sir *Edward Sugden* continued of the opinion he had already expressed, that the matter must lie over for further investigation, when he should be extremely astonished if he found the authority on which his right hon. friend had proceeded altogether incorrect. To proceed to another point, he must say, that the longer he lived the more cause he saw for regretting the mixing up political with judicial functions. He did not advance this invidiously as to any particular Chancellor. Respecting the office of Secretary, he would maintain, that no inexperienced person could be deemed capable of filling it, and he submitted to the House whether so young a man as Mr. M'Causland ought to have received the appointment. He was said to be now twenty-three years of age, therefore, as he had been appointed upwards of a-year, he could only have been just of age at that time. He was further said to have been at the time a law-student in this country; and consequently, he must have been wholly without knowledge of the duties he was appointed to perform; and he (Sir Edward Sugden) could take upon himself to declare, that to perform the duties of Secretary to a Lord Chancellor efficiently, required considerable knowledge of the practice of the Court. He did not presume to doubt the young man's abilities, but to give an appointment under such circumstances, with a salary of 1,700*l.* a-year, while it was deemed necessary to associate with the youth so appointed, a person of experience, at a salary of 500*l.*a-year, was, to say the least of it, setting a precedent by which monstrous abuses might be defended. If the latter sum were an adequate allowance for a competent officer, he could not perceive any propriety in mulcting the public for the payment of a supernumerary. Another objection to the appointment of those Joint Secretaries was, that it created an impediment to the transaction of the business of the Master of the Rolls' Office, who could not have the attendance of a Secretary in his own Court; he was, therefore, fully of opinion that the matter required further investigation.

Mr. *Spring Rice* was surprised at the new light that had suddenly broken in upon the hon. Gentlemen opposite, and he should like to learn how long it was, since they had begun to distinguish the evil resulting from the appointment of a political Chancellor. He should be glad to be informed why, if they sanctioned this appointment in others, they should make such a run against one who had been formerly their colleague, and of whose talents they had received the benefit, though he was now so systematically attacked both in that House and elsewhere. He must complain of the mode of attack that had been resorted to on the present occasion. It was certainly rather unfair to introduce the question of the Lord Chancellor's absence and the neglect of his duty in a minor motion, and without due notice. New light had also dawned upon hon. Gentlemen as to the holding of a number of offices by a single family. He could refer to an instance of the kind, which it was singular had escaped the research of hon. Members, but to which he would direct their attention, as being fully as deserving of remark as the one that had been submitted to the House to-night. The example to which he was about to advert was not based upon newspaper reports, but upon a report of a Committee of the House of Commons. This Committee had been appointed in 1802, for the purpose of inquiring into what offices were filled by Members of the House. It appeared from the return that no less than six profitable legal offices were filled by the hon. William Henry John Scott. Here, then, was the only son of a Chancellor holding no less than six offices, while the case brought forward by the right hon. Gentleman showed merely that some provision had been made during different Administrations for the numerous family of the Chancellor for Ireland. No doubt, had there in the instance which he cited been six sons, thirty-six offices would have been distributed among them. With such a record open to his inspection, he could not help feeling astonished that his right hon. friend had thought proper to reserve his virtuous indignation for the devoted head of the present Chancellor for Ireland.

Mr. *George Bankes* said, that the statement of the right hon. Gentleman opposite had no reference to the present question, and the right hon. Gentleman ought to have blushed, when he enumerated the offices of Mr. Scott, two of which he was well aware were in reversion, and never had been enjoyed by that Gentleman. He regretted the allusion had been made, as it was calculated to give pain, and was on the present occasion both uncalled for and unnecessary. With respect to the appointment of the Joint Secretaries, the hon. and learned Gentleman, the Solicitor General for Ireland, had entirely failed in answering that charge. It was shown, indeed, that previous Lord Chancellors had Assistant Secretaries, but, it was Lord Plunkett who had set the precedent of appointing Joint Secretaries, one of whom it was notorious was incompetent to perform the duties at the date of the appointment, on account of his age and want of experience; and this circumstance coupled with what appeared on a late occasion respecting the Master of the Rolls' Secretary, did not add to the reputation of Lord Plunkett. It showed him to be at least greedy in heaping places upon his family, and this charge could not be got over by pointing to other persons who had been guilty of the same practices.

Sir *Charles Wetherell* said, that the triumph had been claimed by the hon. Gentleman on the other side of the House, for the speech of the hon. and learned Gentleman, the Solicitor General for Ireland, but he certainly thought no triumph could be claimed for the speech of the right hon. Gentleman, the Secretary of the Treasury, unless it was a triumph to fall into great inconsistencies. He complained that the Earl of Eldon should have been thus attacked in his absence, for nobody could deny it was that noble Lord who had been alluded to. He complained of this the more, because the attack had been made by those who had accused his right hon. friend of attacking Lord Plunkett in his absence. He should follow the example of the hon. and learned member for St. Mawes, by not offering any opinion on the subject until further information was laid before the House. He, however, could not omit this opportunity of expressing his hope that the friends of the Master of the Rolls in Ireland would again bring the question, as to his right to appoint a Secretary, before the House—a question out of which Lord Plunkett had escaped only by the support of four persons who were his political adherents.

Sir *Frederick Trench* said, he would not advert to the point whether Lord Plunkett's family received 20,000*l.* a-year, or Lord Grey's family 60,000*l.* a-year; nor did he mean to quarrel with the Lord Chancellor for appointing his own friends to office; but he had seen it stated that Lord Plunkett having refused to suffer the question to be tried, relative to the appointment of the Master of the Rolls' Secretary, and a compromise having been offered him, had accepted it, on condition that the Gentleman who was connected with him should continue in office. This seemed to him to give a peculiar feature to the case, and he must observe that that noble Lord appeared to him to be influenced too much by feelings neither high-minded nor patriotic; he had indeed, behaved in a manner not calculated to add dignity to the high judicial office which he held.

Mr. *Dawson* observed, that the statements which he had made were on the authority of a gentleman of high name in Ireland, and whose character was sufficient to induce him (Mr. Dawson) to use the information which had been given him. He was prepared to show, by a reference to dates, that out of the last twelve months, during which Lord Plunkett had held the seals of Ireland, he had been six months of that period absent from his Court in Ireland, and in this country, leaving a weight and pressure of business upon a high functionary to so great an extent as to lead to remonstrance which had been met by the noble Lord in no very courteous manner. He should prove this fact fully before Parliament at a future and more fitting opportunity. He differed on the law of the case as laid down by the hon. and learned Solicitor General for Ireland with respect to the right of appointing two Secretaries, and he denied that there had ever been an instance of Joint Secretaries to the Chancellor. With respect to the recrimination with which he had been met, it was not the system to be adopted on meeting an important question, and he would tell the hon. Gentlemen sitting behind the Treasury Bench, who had been sent into the House to attempt to cleanse what they were pleased to designate the Augean stable, and were so loud in their cries of Reform, and in the cheers with which they had received the remarks from their side of the House, that they had their constituents to answer to for their vote on this question, and he doubted much whether they would be able to justify their votes on the present occasion, even the hon. member for Sussex, who was fast asleep.

Lord *George Lennox* rose to order. He denied having been asleep, but had listened to the debate—even the speech of the right hon. Gentleman who had just sat down—and who had no right to accuse him of want of attention in the discharge of his duties to his constituents, whom he should be able to meet without any aid from the right hon. Gentleman.

Mr. *Crampton* maintained the statement he had before made, that the Lord Chancellor had fully performed the duties of his office, which had remained untouched by anything that had yet been said; and, he had no doubt, if the right hon. Gentleman returned to the charge as he had threatened, that his statement would be fully met and replied to.

Motion, with the Amendment, agreed to.

HOUSE OF COMMONS,

Thursday, March 7, 1832.

Minutes.] Returns ordered. On the Motion of Mr. Alderman Wood, an Account of the Number of Stamps issued to each Newspaper in Ireland in each quarter, from the 5th of January, 1830, to the 5th of January, 1832; of the total Amount of Money paid, due, or to be claimed, by Distillers as Drawback on Malt used, or Spirits made entirely from Malt under 1, 2, 4 and 6 George 4th, up to 5th of January, 1832; of the Imperial Proof Gallons of Spirits, distilled in each part of the United Kingdom and Exported from each into the other, and which paid Duty for Home Consumption, from 5th of January, 1831, to 5th of January, 1832, distinguishing for each Kingdom the Gallons in each quarter, on which the Malt Drawback under 6 George 4th, was payable, and the Amount of that Drawback:—On the Motion of Mr. Fowell Buxton, Copy of a Charge delivered by Mr. Chief Justice Jeffcott, to the Grand Jury of Sierra Leone, on the subject of the Slave Trade in that Colony, and all Correspondence connected therewith; Copies or Extracts of all Correspondence between Government and Foreign Powers on the subject of the Slave Trade since the 1st of January, 1831; of all Correspondence between Government and the British Commissioners of the mixed Commission Courts at Sierra Leone, Havannah, Rio de Janeiro, and Surinam, relative to the Slave Trade, since the 1st of January, 1830, and all Correspondence between the Admiralty and Naval Officers, Employed on the Coast of Africa, and all Information received from the Governors of British possessions on the same subject for the same period:—On the Motion of Mr. Goulburn, Account of the Population of each division of divided Counties, and of each Individual County of England and Scotland.

Petitions presented. By Mr. Cooper, from the Parishes of Ballisodere, Moate, Drumlease, and Killenumery, against the New System of Education in Ireland:—By Mr. Robinson, from the Worcester Political Union, against the Anatomy Bill; from St. John's, Cartmear Port, De Grave, and Old Perlican, Newfoundland; and by Mr. Hume, from Brigus, Newfoundland, praying for the Establishment of a Local Legislature:—By Mr. Alderman Wood, from Clerkenwell, signed by 30,000 Persons:—By Mr. Sadler, from Manchester, signed by 14,000 Persons; and from Leeds, signed by 18,000 Persons; from the Operative Cotton Spinners of Glasgow, signed by 1,500 Persons; from the Vicar and Clergy of Huddersfield; Sunday School Teachers of Bradford; Inhabitants of North Walsham, Horsforth, Tottenham and Yeadon; Operatives of Morley, Inhabitants of Eccleshill, Ampthill, Uxbridge, Dartford, Horsham, St. Marylebone; of Persons employed in Bleahfields, in Renfrewshire, Lanarkshire, and Dumbartonshire; Operatives in Mills at Dundee and Glasgow; Inhabitants of Rochdale, Oldham, Nottingham, Beverly and Charmouth; by Mr. Fowell Buxton, from Bethnal Green, signed by 1,500 Persons; and from Spitalfields, signed by 1,000 Persons; in favour of the Factories Regulation Bill:—By Mr. Heywood, from the Master Cotton Spinners and Manufacturers in Bromley; and from the Spinners and Manufacturers in Manchester, and by Mr. Green, from the Overseers of Townships adjacent to Dolphucholme, Worsted Mills near Lancaster, from certain Manufacturers at Manchester, from the Inhabitants of Kirkby, Lonsdale, and Sedbergh, against the said Bill:—By the Marquis of Chandos, from the West-India Planters and Proprietors, against the Duties on Sugar.

FACTORIES' REGULATION BILL.] Mr. *Greene* presented a Petition from 420 operatives, at Manchester, praying, in behalf of themselves and their children, that this Bill might not pass into a law. The petitioners stated, that their children were not injuriously affected by their employment, and they declared their impression, that, if the Bill was passed, it would tend to deprive many persons of employment, who would be compelled to resort to their parishes for support.

Mr. *Briscoe* said, that some hon. Members had objected to the Legislature interfering between masters and their labourers; he was quite of that opinion, so far as adults were concerned; but it was a different case with regard to children of such tender ages as were often employed in factories, and, upon the acknowledged principle that they were unable to protect themselves, it was incumbent upon the Legislature to step forward in their behalf.

Mr. *James* had reason to believe, that both masters and operatives were hostile to the Bill, although all must and did agree in the abstract principles of it, so far as humanity was concerned. To prevent the overworking of children in a pestilential atmosphere was most certainly very desirable; yet the Bill must be looked to in its practical results, and it might so happen that those who would prevent the excessive labour of children might compel them to starve. They might commit greater cruelties than they attributed to the manufacturers, by preventing these children from obtaining any employment at all. The scale of wages working people obtained at present, including the earnings of their children, were barely sufficient to supply the family with food. If the value of the children's labour, therefore, was abstracted, starvation must be the consequence. It was a great matter of difficulty to legislate upon such premises, and to make laws that remained a dead letter upon the Statute-book was absurd. A clause had been introduced into a bill brought in by the hon. member for Westminster two years since, by which it was enacted, that children should not be employed in mills at night; but that was completely evaded by the parents giving forged certificates of their ages. By the Bill now before the House, one-sixth of the profits of the masters would be taken off, and, therefore, to that extent it favoured the foreign spinner. These considerations required that very great caution should be used in passing the Bill.

Mr. *Hume* wished to take that opportunity to declare, that he was no enemy to the Bill; he made that declaration, because he understood an erroneous impression had gone abroad, that he was opposed to its principle. He only wished for a full inquiry, and, therefore, he had voted, that the Bill should be referred to a Select Committee, that the subject might be understood in all its bearings. He was most anxious that the children should be protected; but he did not wish to trammel the master with unnecessary restraints, and he knew no way the different bearings of the Bill could be sifted, and the proper consequences assigned to it, but by inquiry before a Select Committee.

Petition to be printed.

Mr. *Mackenzie* said, he had several petitions to present, which took a different view of the question from that which the hon. Member had just laid before the House. These petitions emanated from persons who employed a great number of operatives. They were cotton-spinners and manufacturers of Glasgow, and flax-spinners and manufacturers of Kirkaldy. The petitioners stated, that they viewed the progress of the Bill with great alarm; its professed object was, to protect children in factories from being overworked; but there was no necessity for such a measure in this case, inasmuch as no child was employed by them under fourteen years of age; that those who were employed had but little labour to perform, their chief employment was to attend the machinery, and great attention was paid to their bodily and mental improvement. The petition further noticed, the low rate of wages in factories and mills worked by the power-loom, and stated, that, if the Bill passed, a reduction of wages must follow, in proportion to the diminished hours of labour, and that such reduction would amount to thirty-five per cent on the present scale. The petitioners further referred to the diminished capital that must be employed, provided the hours of labour were limited, and the various evils that would be produced by such a result; another view of the case was also taken by the flax-spinners, whose petition he held in his hand. They stated, that a Bill had passed last Session, to limit the hours of labour to twelve, and the present measure reduced them to ten. The petitioners declared, they saw no reason for the alteration, and he agreed with them; he had yet to learn what had happened to children within a-year, to make them not so competent to perform a given quantity of labour now as they were then.

Mr. *Dixon* felt much regret, as he knew the petitioners, that they endeavoured to uphold the present system. He thought it was the greatest compliment the parties could have paid him, that they had not intrusted the petitions to his care.

Mr. *Robert Ferguson* said, he had been earnestly requested to support the petition from the spinning factories of the Kircaldy district. He, therefore, entreated those Gentlemen who were interested in this important measure, to attend to the statements in that petition, as tending to point out the means of legislating with the least possible injury to the operative and employer. He might, likewise, state, that he possessed documents which proved that there was much exaggeration in many of the petitions which had been presented to the House.

Mr. *Cutlar Fergusson* felt ashamed to hear the present cruel system upheld. No Committee was wanted to find out what was due to humanity. Was it possible, without ruining the health of these helpless infants, to confine them to labour for twelve consecutive hours? He must say, that the statement of these petitioners condemned them, in his opinion, when they asserted that such a number of hours was not too much for working children.

Mr. *Hunt* observed, that some of these petitioners stated, that the children employed in the factories at Glasgow were well fed, clothed, and lodged. If such was the fact, he was glad of it; but he knew that it was impossible for any human beings to be in a worse state than the children were in Lancashire. The petitioners further stated, that the occupation of these poor children was not unwholesome. The case was very different in Lancashire, where they were obliged to work in an impure atmosphere, heated from eighty to ninety degrees, and were kept in a state of perpetual perspiration and exhaustion. In short, they were treated worse than dogs; for, that if any gentleman were to find his servant treating his pigs or his dogs as these miserable children were treated, he would punish him most severely.

Mr. *Sadler* said, after the allusions made to him, he should be allowed, he trusted, to offer a few remarks. With reference to the petitions from Glasgow, it would have been well had more caution been adopted with regard to the allegations made therein, as he had a petition of a direct contrary nature from the operative cotton-spinners and other persons employed in the factories at that place, signed by 1,500, a number which would have been greatly increased if more time had been allowed. These petitioners stated, that comparatively few of those who were employed in factories lived to the age of forty-five years—that the long confinement impeded the natural growth of children, and prevented their receiving any education—that this had a most pernicious moral effect, and that the increase of crime was enormous. These facts showed, that, whether the demand for manufactures was great or small, the situation of the people was most lamentable, and that they were in the greatest possible distress. He did not mean to deny the assertion, that many of the masters who petitioned also possessed great wealth, and were highly respectable individuals; but he thought they ought to have some regard for the poor individuals through whom they accumulated their wealth. The persons for whose benefit the Bill was intended were entitled, from their extreme poverty and helplessness, to the protection of Parliament. The Legislature was bound, on every principle of humanity, to pass some law on the subject.

Mr. *Strickland* had received many communications on the subject, and he begged to give his cordial support to the object proposed by the hon. Member, for he was convinced it would be necessary to pass some measure for the relief of the persons employed in factories. He was happy to be able to state, that a large portion of the mill-owners were in favour of diminishing the hours of labour. Most of them, however, thought the Bill went too far, and would lead to an improper interference in the management of factories. It was on all hands admitted, that some relief should be afforded to the children, and he should be happy to co-operate in attaining so desirable an object.

Petitions to be printed.

EXPEDITION OF THE FRENCH TO ITALY.] Lord Althorp moved, that the House resolve itself into a Committee of Ways and Means.

Sir *Richard Vyvyan* wished to take the opportunity of putting a question to the noble Lord, on a subject of considerable importance. It would be in the recollection of the House that he had put a question to the noble Lord, the Secretary for Foreign Affairs, about a fortnight since, respecting the supposed intentions of the French government in sending troops to the coast of Italy. The noble Lord said, that he was not answerable for the conduct of the French government. With this answer he was obliged to be content, although he considered it any thing but satisfactory. Further information had since been received, and, it appeared, that the expedition had reached the place of its destination —that the troops had landed at Ancona— and that, on their doing so, the Papal troops retired before them into the interior, after the commander had protested against the landing of this force. It was clear, from the conduct of this military officer, that he was not aware of the intentions of the French. These appeared to be the facts of the case, according to public report, and he was desirous of knowing whether the occupation of Ancona by a French force had the consent of the Papal government, and whether the expedition was undertaken with the knowledge of the other Powers of Europe? The interference of France in the internal affairs of any Italian state was materially different from the interference of Austria. It should be recollected, that the latter Power was called in by the Pope to put down the disturbances which had broken out in his territories; and that Power might feel the better justified in obeying that call, in consequence of the persons who had taken up arms having called upon the Italians of the north of Italy, over which Austria had dominion, to join them. Under these circumstances, Austria was justified in interfering, if the Pope was not powerful enough to put down the insurrection. Austria was the more called upon to interfere, because its subjects had been called upon to rebel against their acknowledged sovereign. The French, however, had no territory in the immediate vicinity of the Papal dominions, and the French government had no right to send troops to take possession of Ancona, unless they had been requested to do so by the Papal government. Of course, he only spoke on public rumour, but he had reason to believe the French troops landed at Ancona, not only without having been invited to do so by the Papal authorities, but even against their wishes, and, notwithstanding the protests of these authorities. It was one of the misfortunes of those who unhappily engaged in this revolt, that an envoy of the French Revolution of 1830, was introduced at the court of Modena, and he induced the inhabitants of that duchy, and the subjects of the Pope, to break out into rebellion against their acknowledged sovereigns. He regretted that so many of those persons were induced, by false promises, to embark in an undertaking which had terminated by consigning many to the scaffold, and a great number to exile. False hopes, he suspected, were held out to these persons, and they were encouraged to embark in an enterprise under the promise of assistance, and they had been left to see what little reliance could be placed upon the assurances they received. He should regard with satisfaction the adoption of improvements in the governments of many of the Italian states. As an admirer of our Constitution, he must say, that the governments of the Duke of Modena and of the Pope were such as no admirer of our institutions could sanction. With respect to those who lured the subjects of the Duke of Modena and of the Pope to acts which had brought many to the scaffold, and had led to exile and confiscation, he wanted words to describe his abhorrence of their want of good faith. It was owing to the excitement occasioned by the French Revolution, and to the stimulus of French emissaries, that the inhabitants of the Bolognese, and Modenese, and the neighbouring districts, were induced to break out into rebellion. He feared that the landing of the French would again excite a civil war in Italy, and lead those persons on to their destruction. He did not hesitate to assert, that the French had never entered Italy without bringing a train of evils, and inflicting the greatest miseries upon the people. France had long been the curse of Italy; and the iron crown of Lombardy had been only a searing-brand round her brow. The point, however, to which he was anxious to draw attention was, that the French troops had been allowed to land without a British squadron being at hand to observe and give notice of their proceedings. With the view of obtaining information on those points, he begged to ask the noble Lord, the Secretary for the Foreign Department, whether, after the destination of the French troops was known, any communication passed between the government of France and our Government on the subject? and whether the French troops landed at Ancona with the sanction of his Britannic Majesty? These were the first questions to which he wished an answer. Another question, which he considered of greater importance was, whether the sovereign of the Papal states acquiesced in the plan of landing a band of French troops in the Papal territories? If the French troops landed in defiance of any protest made by the Pope, and, contrary to his will, it was the first time since the days of Napoleon that such invasion had taken place. It was the first time that England had allowed such a matter to pass without demanding immediate explanation. Such was not the course pursued by Lord Castlereagh, in 1820, in the case of Naples, nor the course pursued by Mr. Canning, when the combined fleets—unfortunate as the combination was—were ordered to Navarino. When called upon, he fully admitted the rights of neighbouring states to interfere for the suppression of insurrection; but the question was, whether any states had a right to interfere when the sovereign protested against such interference; and, whether the landing of troops, under such circumstances, must not be looked upon as an invasion? He was all this time assuming that the landing took place contrary to the wishes of the Pope. But, perhaps, he was wrong. Perhaps the Papal government had acquiesced in the landing of French troops either at Civita Vecchia, or at Ancona. All that he knew on the subject was, that the French troops had landed, and, knowing this, he felt himself justified in asking, whether the landing was acquiesced in by the British Government, and whether it was authorized by the government of the Papal territories?

Viscount *Palmerston:* With respect to the general facts in which the hon. Baronet's questions are founded, namely, the corps of Austrian and French troops have appeared in the Papal territories—I believe that no doubt exists, and, therefore, it is not necessary that I should touch upon those facts. With respect to the questions put by the hon. Baronet, I am sure the House will understand and give me credit for my motives, when I state, that I do not think it consistent with my public duty to make any statement at this period with regard to what might have passed between this Government and that of France, with respect to the expedition to Italy, and still less with respect to any thing which might have passed between the French government and the government of the Papal states. This is not the proper time to enter into any discussion on the line of policy adopted by the French government; but it appears to me that the chief accusation which the hon. Baronet makes against the French government is, that it has not sufficiently interfered, inasmuch as he considers it ought to have given to the people of another country institutions, in his opinion, more congenial to their welfare. With respect to the Government of England, the charge against us is of a similar description. The hon. Baronet seems to say, that the English Government ought to have sent an English fleet, to co-operate with the French expedition sent to Italy. I am not now going to discuss those accusations, but I wish to point the attention of the House to the hon. Baronet's opinions, as it may be useful for future purposes. I repeat, that it would not be consistent with my duty to give any further answer to the hon. Baronet's questions; but it might be satisfactory that I should state, that, so far as his Majesty's Government is informed, I see no reason to apprehend that the circumstances which led to the advance of the Austrian and French troops into the Papal territories may not be adjusted, without any interruption of the peace of Europe.

Sir *Robert Peel:* When my noble friend distinctly states, that his public duty prevents him from answering the questions put by my hon. friend near me, I am very unwilling to press for any premature declarations; but, in the present state of our information, I think it is impossible for us to view the proceedings taken on the part of the French government—I will not say, without suspicion, but, certainly, without very great anxiety and apprehension. I do not prefer any charge against the French government, because I have no materials on which I could found any charge, and because, although I would never consent to sacrifice the honour or the permanent interest of this country to maintain a good understanding with the French government, yet my noble friend himself cannot have a more sincere desire than I have, that that good understanding should not be interrupted. But, entertaining this feeling, I do not think it right that we should be withheld from doing our duty, as Members of the British House of Commons, by any fear of offending the French government. In the observations which I am about to make, I beg to state distinctly, that I do not take part with the French or the Austrian governments; but, if it appears, according to the statements which have been made, that a French corps, without any intimation having been made to other governments, has taken forcible possession of a part of the Papal territories, that is a matter of the gravest and most fearful importance, considered, not only as to its immediate and probable consequences, but as to the precedent which it affords, if the fact cannot be satisfactorily explained. If it shall appear, too, that this act of the French government was only intended to conciliate a party in France anxious for the delusions of military glory, all my apprehensions, as to the danger of the precedent will be more strongly confirmed. In the last year the French government sent a large army into Belgium, without having previously obtained the consent of the Allies. France has also taken possession of a large territory on the south coast of the Mediterranean. French troops occupy a part of Greece (and I do not say that this occupation would afford any ground for observation if it stood alone); and, lastly, we see a detachment of French troops now taking possession of the Papal territory. I do not say that these acts of interference are not separately justifiable; but, when we see a continuance and combination of these acts—of acts done without the union of the other Allied Powers—I say it gives me great apprehensions as to the maintenance of peace, and of that balance of power on which the permanent tranquillity of Europe so much depends. I refrain from saying more, because my noble friend has stated, that the time has not yet come for the discussion of those topics. Balancing the inconvenience of putting some questions on the subject against the advantage, I own I do see much greater advantage in putting the questions than in letting it be supposed that such a subject has been passed by in total apathy by the British House of Commons.

Sir *Richard Vyvyan* had particularly guarded himself, as he thought, against identifying the government of France with that faction which his right hon. friend (Sir Robert Peel) had alluded to, and to pamper which, he feared, much had been done by the French government. His observations were directed against that faction which had sent its agents to

Modena, and had lured on the Poles to destruction, and not against the French government.

Viscount *Palmerston* was exceedingly glad to hear the hon. Baronet's explanation; and that his observations were not directed to the government of France, but to the Propaganda faction. He must be allowed, however, to make an observation or two on what had just fallen from his right hon. friend (Sir Robert Peel), who had stated, that he felt a great anxiety, and no doubt a very justifiable anxiety, with regard to the maintenance of the peace of Europe, as affected by the proceedings of the French government. His right hon. friend had referred to the French expeditions to Belgium, Greece, and Algiers, as affording ground for apprehension. With regard to the first of these expeditions—the entrance of the French troops into Belgium—it was due to the government of France to state, that though the advance of the French troops took place, without previous communication, yet that expedition was in perfect accordance with the spirit in which France and her Allies had previously acted—it had been immediately adopted by the Allies—and he (Lord Palmerston) was satisfied that it had been mainly instrumental in preserving the peace of Europe. He might further add, that, on that occasion, the French government acted with perfect good faith, and evacuated the country as soon as the object for which her troops had entered it was obtained. With respect to the occupation of Greece, that act was done by France in concurrence with her Allies; and the continuance of the French troops in Greece was entirely consistent with the views and wishes of the other Powers. As to the expedition to Algiers, the Government of this country, he believed, received assurances, which they conceived were satisfactory, at the time the expedition took place.

Sir *Robert Peel* said, it was not very easy to answer such statements as those just made by his noble friend, without some previous consideration. With regard to the French expedition to Algiers, however, he believed he might draw upon his recollection to state, that the assurances then made by France were, that, in the event of the expedition proving successful, she would seek to derive no benefit from that success, but would call in the other Powers, to determine upon what permanent footing the state of Algiers should be placed. The understanding, no doubt, might have been satisfactory, but the question was, whether it had been fulfilled? With respect to Greece, he had already distinctly stated, that it would be impossible, from that single case, to found any suspicion against France; yet still the occupation of Greece, and the retention of a strong post in the Mediterranean, were examples which no one could say might not be dangerous if followed in other places, and he owned they afforded additional reason, in his mind, for viewing with some degree of jealousy the descent now made on the Papal territory. With respect to Belgium, he could not agree with his noble friend, that the evil had terminated when the French troops evacuated that country. The evil was in the example of a great Power occupying part of an independent state, without being able to assign any satisfactory reason, nor having previously communicated with her Allies.

Subject dropped.

Timber Trade.] An *Hon. Member* would avail himself of that opportunity to put a question of importance to the right hon. Gentleman, the Vice President of the Board of Trade, relating to the timber trade. It was well known, that a considerable quantity of timber was sent annually from the Baltic to Canada, and which timber was subsequently imported from the latter country into this as Canadian timber. He wished, therefore, to be informed, whether it was the intention of Ministers to put a stop to this proceeding, and also whether any instructions to that effect had been issued?

Mr. *Poulett Thomson* was not aware of any intentions in Government to interfere in the matter at present. Certainly no instructions had been issued to the Customs on the subject.

Post Office Regulations.] Mr. *Croker* wished to take this opportunity of calling attention to the case of the suburbs of the metropolis, as connected with the Post-office Regulations. The suburbs of the metropolis had become such great towns, that his Majesty's Government considered it necessary they should have Representatives in that House; and he was sure the Post-office department was well disposed to afford every advantage that could be given to so large a body of persons as the inhabitants of the metropolitan suburbs. Now, almost all who heard him were aware that persons living in the neighbourhood of great towns, nearly in every instance, received their letters upon the payment of one penny in addition to the postage. In the neighbourhood of London, however, for no other reason that he knew of, but that there were means of doing it with more facility than in other towns, the inhabitants of the suburbs had to pay twopence, instead of a penny—just double the sum paid by persons residing in the neighbourhood of Liverpool, or other large towns. But this was not the worst. Although the inhabitants of the metropolitan suburbs paid double as much, they received their letters later by many hours than persons residing in the neighbourhood of other towns. In many country towns all the letters were delivered immediately after the arrival of the post; but the inhabitants of the metropolitan suburbs did not receive their letters for three hours after the delivery within the limits of the General Post. If the letters were delivered at Hyde-park-corner at nine o'clock, he could see no good reason why they should be detained until twelve when directed a furlong beyond Hyde-park-corner. As the inhabitants of the suburbs of London paid twice as much as others for the delivery of their letters, he thought they ought to receive them sooner. At all events, he conceived the subject was sufficiently important to call attention to it; and he begged to ask the Secretary for the Treasury, whether, in the Bill which had lately passed the House, any remedy had been provided for the evils of which he complained?

Mr. *Spring Rice* apprehended that, if the evils described by the right hon. Gentleman were capable of being remedied, it might be done by Post-office regulations, without any Bill. The right hon. Gentleman had only done justice to the Post-office department, and to the noble Duke at its head, when he stated, that there was every disposition in that quarter to accommodate the public; and on that disposition he thought the House and the public might securely rest. The suggestions of the right hon. Gentleman, he admitted, were well deserving of consideration. The difficulty was as to the question of time. The question between a penny and twopence was comparatively nothing. The second sorting of letters rendered the letters directed without the range of the General Post later in the delivery; and he believed that it would be impossible, by any arrangement, that the letters which went beyond the limits of the General Post should be delivered as early as those within those limits. He would take care, however, that the subject should be mentioned in the proper quarter.

MUNICIPAL POLICE.] Sir *Robert Peel* said, he should now put a question to the noble Lord (the Chancellor of the Exchequer) on a subject connected with domestic policy, to which he hoped for a more satisfactory reply than that given by his noble friend (Lord Palmerston) to the questions put to him respecting foreign policy. It would be in the recollection of the House that, on the 6th of December last, in consequence of an address proposed by his Majesty's Ministers, in which the House unanimously concurred, the House assured his Majesty that, in obedience to the recommendation contained in his most gracious Speech, they would take into consideration some measure for the establishment of a Municipal Police in the cities and towns of the kingdom, with a view to the better maintenance of the public peace. This address having been presented to his Majesty early in the month of December, it was not unreasonable to suppose that his Majesty should now begin to inquire why Parliament did not proceed to fulfil its promise. Without pressing that topic, however, he hoped he should not be considered premature if, after three months had passed, he inquired of the noble Lord, whether any measure was about to be brought forward? There was no part of his Majesty's Speech of which he so much approved as this suggestion for the improvement of the Municipal Police —if by Municipal was meant the Police of large towns. It was a most important subject, and one which called for all the energy and attention of Government; for, if it should be left to the local interests in different towns, there was too much reason to fear that the intentions of Government would be wholly defeated. He begged, therefore, to ask the noble Lord, whether his Majesty's Ministers had made up their mind as to the course they should pursue on this subject? whether they had made up their mind to introduce any measure for the establishment of a Police, or whether they found the difficulties arising from local circumstances so great that they thought it would be necessary to submit the question, in the first instance, to a Committee?

Lord *Althorp* entirely concurred with the right hon. Baronet, that this subject was one of considerable importance. It had been for some time under the consideration of Government, and it was undoubtedly the intention of his Majesty's Government to introduce a measure with respect to the establishment of a Municipal Police. He was not able to state, however, that the measure was yet in so perfect a form that it could be produced.

Sir *Charles Wetherell* was glad this subject had been mentioned, because he understood that his Majesty's Ministers had thought fit to instruct their Attorney General to prosecute the Bristol Magistrates for the riots which took place in that town. As to the passage in his Majesty's Speech adverted to by his right hon. friend (Sir R. Peel), recommending the establishment of a Municipal Police, it had been introduced, *ad captandam,* in reference to the explosion at Bristol, and he did not believe that, since that time, a single step had been taken by his Majesty's Government in reference to the measure. That was his own opinion. Of course he did not pretend to know what was going on in Downing-street, though he believed he knew quite as much of it as some persons whose duties ought to take them there. His Majesty's Ministers, however, he understood, in subjection and obedience to a miserable popular clamour urged on by a base Press, had determined to prosecute the Bristol Magistrates. With this proposed prosecution he could take it upon himself to say, the Magistrates were well pleased, as it would give them an opportunity of justifying their actions.

The *Attorney General* could not refrain from expressing his surprise and indignation at the extraordinary declaration which his hon. and learned friend had just made, when he said that his Majesty's Ministers had degraded themselves by submitting to the subjugation of a base Press, and by ordering a prosecution against the Magistrates of Bristol in obedience to popular clamour. What could have induced his hon. and learned friend to indulge in such a tirade against Gentlemen as honourable and high minded as his hon. and learned friend himself, he could not possibly conjecture? On what authority had he ventured to bring so unworthy an accusation against them? He could assure the House that it was not in obedience to any clamour from any quarter, but upon a full, and anxious, and patient consideration of all the circumstances, that Government had ordered, and that he, as law-officer of the Crown, had filed an information against the Magistrates of Bristol. He could likewise assure the House, that it was only because he had filed an information against them that he abstained from saying a word as to their conduct. It was due both to those who had directed the prosecution and to those who might possibly suffer from it, that the case should not undergo premature discussion. To enter into any such explanation as he (the Attorney General) could give upon it, would be most improper; but even that would not be half so improper as the course adopted by his hon. and learned friend, which was to cast such reflections upon the Government as naturally led to recriminations of that nature which, on every principle of justice, ought to be avoided at present.

Mr. *A. Robert Dundas* was particularly desirous to learn whether Ministers intended to introduce a general measure upon this subject? He had a bill to introduce relating to the Police of the large town with which he was connected; but, as his constituents had no wish to incur unnecessary expense, they wished to know whether it was the intention of Government to introduce a general Police Bill, before they incurred greater expense in prosecuting the bill with which he was intrusted. He assured Ministers, that if they would bring in any such general measure, he should be most ready to give it his humble support.

The House resolved itself into a Committee.

WAYS AND MEANS—SUGAR DUTIES.] Lord *Althorp* rose to propose the renewal of the Sugar Duties for the next six months. In doing so, he was sorry to say, that, although he was aware of the distress which prevailed in the West Indies, it was not in his power to propose any reduction or alteration of those duties on the present occasion. He did not think that a very small reduction of the duties would be of any benefit, and it was not possible at present, consistently with the maintenance of the revenue, and the protection of other interests in the country, to propose any considerable diminution. It was said, that, unless a reduction of the sugar duties took place, no relief could be granted to the West Indies. He did not concur in that view. There were other modes in which relief might be given, although, perhaps, not exactly to the same extent as if it were practicable to make such a reduction as would be the means of absorbing the greater part of the surplus produce of the West Indies. It had been urged upon him, by gentlemen connected with the West-India interests, that he should state what specific plan of relief he had in contemplation; but he did not think he should be justified in doing so, unless he were prepared and able to follow it up immediately by carrying his propositions into effect. It should be borne in mind, that any thing which would give relief to the West-India interests must, more or less, clash with some other interests; and, therefore, if he now gave notice of any specific plan, he could not do so with that certainty which alone would justify him in communicating it. But he was perfectly ready to say, although he feared it would not be so satisfactory, that it was his intention to propose some fiscal measures of relief in the course of this Session, and, although he was afraid they would not go to the same extent of relief as a very large reduction of the sugar duties, he hoped and trusted they would be found advantageous to the West-India colonies. At the same time, he must observe, that in any proposition he might bring forward, he was bound to recollect the pledge which he had given last Session, on the Motion of the hon. member for Weymouth, namely, that in any measures of relief that should be proposed, his Majesty's Government would make a distinction between the colonies which had adopted the regulations pressed upon them by that House, and those which had not. By that pledge he was bound, and by that pledge he would abide. And this was an additional reason why it was impossible, at the present moment, to bring forward any specific plan, because it would, undoubtedly, be extremely unfair that the House should immediately give any such advantages to the colonies which had acceded to the regulations, when those which had legislatures of their own had not had time to consider the propositions, and the Crown colonies were obliged immediately to adopt them. He moved "that it is the opinion of this Committee, that, towards raising the supply granted to his Majesty, the several duties on sugar and molasses, imposed by an Act of the first year of the reign of his present Majesty, and the bounties granted thereon, shall be further continued until the 10th day of October, 1832."

The Marquis of *Chandos* regretted that the noble Lord could not consent to a reduction of the sugar duties. The difficulties under which the colonies were labouring were hourly increasing. This was not the first, second, nor third time that their case had come under the consideration of Government, and it was a little too hard to say to them, "England is in no state to grant you any relief." The noble Lord said, that he meant to grant them some relief, but would the House be satisfied with the prospect Government was holding out? Only yesterday the Committee up-stairs came to the following resolution:—"that it is the opinion of the Committee, that material relief would be afforded to the West-India interests by any such reduction of duty, as would, by encouraging a considerable consumption in the United Kingdom, diminish the supply to the other parts of the world." He had not the least hesitation in saying, that, even by a small reduction of the sugar duties, the consumption would be greatly increased, so that the revenue would lose nothing. On that ground, therefore, the noble Lord could not stand. He feared, however, it was almost a hopeless case to stand up in that House and advocate the cause of the West-India colonies; for, on the one hand, a plea of poverty was urged, which would admit of nothing being done, and, on the other, a strong party-feeling existed, running counter to the prosperity of the colonial interests. Between these two, he certainly felt alarmed lest the country should be deprived of its colonies; for it was impossible for any one to observe what was going on, without seeing that, if the same policy was persisted in for a few years longer, England could no longer hope to have any control over her West-Indian possessions. They would unite themselves with that power which would protect them, and no longer come here, where they were constantly told that no relief could be vouchsafed to them. He, therefore, implored the noble Lord not to lose sight of the valuable assistance which the colonies afforded to this country; and if he could hold out any hope of a reduction, he certainly would not press the amendment which he had to propose to a division; but if that hope was not held out by Government, he should be under the necessity of moving an amendment, and of taking the opinion of the Committee upon it. Of course, he was not able to say any thing about the relief which the noble Lord promised, as he had not thought proper to explain the nature of his proposal: the great relief, however, to which the West-India interests had always looked, had been the reduction of the sugar duties; and he thought the reduction which he had to propose, though moderate in amount, would be such as to afford some relief to the colonies. The state of those islands seemed to him imperatively to demand this step: ruin was threatening them in every direction—the planters were reduced from affluence nearly to beggary—houses no longer existed for making the sugar—the slaves were in rebellion—and to all these things the only answer of the noble Lord was, "the Government can afford you no relief." He felt, therefore, that it was not too much to ask for a small reduction, when the noble Lord proposed to renew, for six months longer, the war duties at their highest pitch; and he, therefore, begged to propose, by way of amendment, "That all brown, muscovado, and clayed sugars, imported from the British possessions in America, and the Mauritius, be imported at a duty of 20*s.* per cwt." This was tantamount to a reduction in the duty of 4*s.* per cwt.

Mr. *Keith Douglas* was most anxious to avoid saying any thing that was likely to excite angry feelings on either side; but this was a subject, the discussion of which, at the present moment, was calculated to produce more of that feeling than almost any other?—for the West-India interests had suffered so much of late, that those connected with them were not easily to be appeased. He certainly expected, after the discussions in the Committee, that the Government would have proposed a reduction in these duties, in order that something might be done for the alleviation of the distresses of those colonies. He was, therefore, somewhat surprised to hear the noble Lord talk of the impossibility of risking any defalcation in the revenue, saying, that the loss of the colonies could bear no comparison with a small deficit in the Exchequer. The Committee wished to propose resolutions pointing out distinct modes of relief; but that, it was said, would be contrary to the princple which the Government entertained. Other propositions were then made; but the answer to them all was, that the other interests of the country interfered with them, and that the government was unwilling to throw its weight into the scale, as considerable responsibility would attach to the proposing of any measure to the House. Under these circumstances, he was warranted in asserting, from the nature of the resolutions passed, that the Committee came to the unanimous conclusion that a general reduction of the duty would be the best means of affording relief to the planters, and that even a small reduction of that duty would tend to the same effect. The first resolution stated, "that it appears to the Committee that effectual relief would be afforded to the West-India planters by such a reduction of the duty on sugar as would lead, by extending the consumption in the United Kingdom, to the absorption of the sugar now exported to foreign countries." The second resolution was, "that it is the opinion of the Committee, that material relief would be afforded to the same interests by any such reduction of duty as would, by encouraging a considerable consumption in the United Kingdom, diminish the supply to the other parts of the world. He begged to call the attention of the Committee to what had been the effect of the recent reduction in the sugar duty, by which his statement would be borne out—that a decrease of duty would be attended with an increase of consumption. In the half-year ending 5th July, 1830, the home consumption was 2,086,409 cwt., producing to the country a revenue of 2,206,000*l.* Subsequent to the reduction of the 3*s.* duty, or in the half-year ending 5th July, 1831, the consumption had risen to 2,290,365 cwt., and the sum received by the revenue consequently rose to 2,304,819*l.*, making an increase of about 210,000 cwt., and of about 100,000*l.* on that period. As far as he could understand the question, the increase of consumption up to the 5th January last, had been going on in the same ratio, and, therefore, at the present moment, notwithstanding the reduction of the 3*s.* duty, there was a larger revenue arising from the sugar duties than previously; and the increase of the consumption in the course of the year had been 400,000 cwt. The noble Lord proposed to take the existing duty for half a-year, but a more inexpedient proposition could not be made; for the effect of it would be. to paralyse the transactions of all those connected with the West-India trade; and the noble Lord, instead of reaping any benefit from his proposition, would injure the revenue. The planters, when they asked for a Committee, alleged that they had been placed in an unjust situation, and were called on to compete with other countries without having the means. These assertions were proved before the Committee, and resolutions were come to affirmatory of the fact; and yet, after all these pains, the whole was to be set aside, and all that the noble Lord could hold out was, that fiscal regulations were to be made, founded on political considerations, as to the state of society in the West-India colonies. Much might have been done if the language of persuasion and kindness had been used towards the colonies; but there had been nothing but angry discussion, charges made, and accusations brought forward; in short, every thing done that could excite unpleasant feelings. He was, therefore, exceedingly sorry that the noble Lord had coupled his promise of fiscal relief with other measures, that would produce a great deal of angry debate both here and in the colonies. He was afraid, from the clashing of interest, which was now so evident, and from the irritation which existed, that all men must look forward to a time when those colonies would no longer form a part of the British Empire.

Lord *Sandon* said, he had hoped that some expression of feeling and sympathy for the condition of the West-India trade would have fallen from his Majesty's Government on the present occasion, which would have satisfied and given confidence not only to the West-India colonies, but the entire country, and, without such an expression, he feared that those connected with the colonies must make up their mind to lose them. He conceived that the view taken by the noble Lord, the Chancellor of the Exchequer, in the present instance, was very short-sighted, when he talked of a possible defalcation in the revenue as the only thing to be avoided. He feared, the measures proposed by the noble Lord would bring on the very evil he was so anxious to guard against. It would be better to run the risk of a financial defalcation than incur the more fearful risk of destroying the West-India interests. He assured the Committee that it was with the greatest regret that he felt called on to give his vote against the Government on this occasion, for he had a sincere desire to have avoided it, especially as he did not look on the reduction of this duty as the best mode of proceeding: but when he found that the West-India interests were driven from post to pillar—when he found that they were put off year after year—he felt that something must be done; and this reduction appeared the most feasible thing that the present circumstances would allow. Some observations had been made on the resolutions that had been proposed in the Committee up-stairs; and, as he had been the mover of one of them, perhaps he might be allowed to say a few words. In the first place, it was his belief that a reduction in the duty would not make a corresponding reduction in the revenue; because, when the article became cheaper, the consumption would certainly be increased; and this was with him a strong proof that any thing that led to an increased consumption would be a benefit to the consumer at least; and if the sources of supply should happen to be checked by the interference of treaties, or otherwise, which appeared likely to be the case, a benefit would also be conferred on the grower, so that the general beneficial effect would be divided between these two parties; and as, in the present state of the colonies, the smallest benefit must be most gratefully accepted, and as it was most important to show in that House a lively concern and solicitude for those interests which it had once been the glory of this country to protect and uphold, he thought that they were bound to come to the resolution that a reduction of the duties ought to take place.

Mr. *Hume* said, that no one was less disposed to allow the colonies to be a source of expense to this country than he was, but still he thought that they were bound to afford relief to them under their present distressed circumstances, particularly when they could, at the same time, afford relief to the consumers in this country. He had for many years been of opinion, that the pledge given by the British Parliament at the commencement of the war, that the increase of duties should end with that war, had never been redeemed; and he had, therefore, on every occasion, invariably advocated the reduction of the sugar duties. Now, that a Committee, after carefully considering the matter, had come to a resolution that the only means of preserving the colonies from ruin was by a reduction of those duties, the House was imperatively bound to afford that assistance. Indeed, he thought that the whole effect of the policy practised towards the West-India colonies was to destroy that confidence which ought to be placed in the Government, as affording protection to capital and property. At the same time, he did not suppose that this effect had been intended by the present Ministers. He thought they meant to do good; but evil had unfortunately been the result, and great sacrifice of property had ensued. It was for this reason that he thought that Parliament was bound to endeavour to stay the evil, and to afford the best relief in its power. So strongly was he of this opinion, that even, though the Exchequer should suffer, the Government was bound to consider most seriously whether it was not wise to grant this relief. The colonist not only required but deserved this reduction, and the British public were entitled to it. A benefit would thereby be extended both to the planter and the consumer; and he would entreat the noble Lord, the Chancellor of the Exchequer, to make thus far an approach to the redemption of the pledge given before the war, that the duties should cease, and to make some sacrifice to meet the views of those who were on the verge of ruin, to which they had been brought by an accumulation of circumstances and misfortunes. For these reasons, he should vote for the Amendment of the noble Marquis.

Mr. *Cutlar Fergusson* was so satisfied, that on the vote of that night would depend the impression made on the West-India colonies, as to whether this country was prepared to extend relief to those valuable possessions, or whether it was resolved to abandon them to other Powers, that he could not in his conscience do otherwise than vote for the Amendment of the noble Marquis. He agreed, also, with the hon. member for Middlesex, that they were not to look for a diminution of the revenue equal to the reduction of the duty; for it had never happened yet, that, in an article of general consumption, a reduction of duty had not led to a considerable increase in its consumption; so that by extending this relief to the West Indies, the Government would also confer a great benefit on the consumer. He thought that the noble Lord ought not to dread so great a defalcation as that which he seemed to expect. At all events, he was prepared to go the length of the hon. member for Middlesex, and would risk the defalcation for the sake of showing to the West-India colonies, that, if it was possible to save them from ruin, this country would not be wanting in its efforts for that purpose, or give tokens of its being lost to every feeling in their behalf. He was one of those who thought that the colonies of this country were one of the great sources of its strength; and he never would, in accordance with the theories of political economists, concur in any resolution, or agree in any law, that should go to the detriment, or towards the destruction of our colonial interests, for the purpose of forwarding other interests which it was supposed were contrary to the former, but which he, for his part, believed to be perfectly compatible the one with the other. He thought it a pity, however, that the noble Lord, in his Amendment, had omitted to include East-India sugars; for the two colonies ought to be placed on precisely the same footing.

Sir *Charles Wetherell* said, that, on referring to the conduct of the Government, first, on the timber question, next, on the wine duties, and, lastly, on the present question, he could but think that their whole line of conduct was anti-colonial. He had so much of the conservative about him that he would never consent to the destruction of the colonies, though that seemed to be the favourite policy of the present Government. He concurred in the Motion of his noble friend, because any deficit in the revenue might be amended, but it would be impossible to remedy the desertion of the colonies in the present time of need, for to deny them relief was sufficient to induce the colonies to look to other countries for that protection which they ought to receive from Great Britain, but which would be denied to them if the noble Lord's proposition was agreed to. By refusing the colonies financial relief, a principle would be established which must suspend all their confidence in the British Parliament, and would lead to distrust and desperation, to jealousy and opposition.

Mr. *Warburton* was convinced, that the principle which should combine the interests of the consumer with those of the planter was the only one on which they could afford relief to the colonies; for anything that should throw new taxation on this country was, in his opinion, wholly inadmissible. It, therefore, seemed to him that they ought to reduce the sugar duties in amount pretty nearly on the plan proposed by the noble Marquis; though he thought that they might be reduced in a manner which would prove still more beneficial to the revenue, and afford still greater relief to the planter. The plan that he would propose was, that the duty should be so arranged as to produce an average reduction of 4*s.* in the cwt.; but, by imposing a smaller duty on the low-priced sugars, he thought that the justice of the case would be better met, and that it would have the effect also of producing a much more considerable consumption. The present consumption of sugar was four millions of cwts., upon which a reduction of duty of 4*s.* per cwt. would amount to 800,000*l.*; but, as a set off against this certain loss, by a diminution of duty to that extent, they must consider the increased amount of revenue which would arise by the increased consumption, from the price being lowered. If that increase of consumption should be so great as to absorb the excess of sugar produced in the colonies over the present consumption the revenue would not suffer. There could be no doubt that a great increase on the consumption had followed in the late reduction of the duties; the average price of sugars for the years 1825, 1826, and 1827, was 61*s.* per cwt., and for the years 1829, 1830, and 1831, 53*s.* per cwt., owing to which the consumption increased from 3,500,000 cwt. to 4,000,000 cwt., and if there had not been much distress in the country, that increase would have been still greater. But sugar was not the only article by which relief could be extended to the colonies by a reduction of duty; there was also molasses and rum. He also conceived a diminution ought to be made in the duties both on rum and molasses, by which the brewing of beer in this country would be advanced, and the public feel the benefit of the late reduction in the duty on that article of consumption, but from which the rise in the price of malt had prevented the public deriving all those advantages which it had been intended they should enjoy. He thought that these reductions should be made contemporaneously, to be of real benefit. At the same time, he concurred with what had fallen from the hon. Member opposite (Mr. C. Fergusson) with respect to the assimilating the duties on the East and West Indian sugars. He did not demand a lesser duty, but merely that they should be put upon the same footing by which the one country would be benefitted, and the other would not be a sufferer. With respect to the conservative system, of which the hon. and learned Gentleman had spoken, he thought that it was that very thing which had proved injurious to the colonies, instead of beneficial; for there happened to be a conservative principle at home as well as abroad; and it was the operation of the conservative principle in favour of the landowners at home that had acted so much to the detriment of a fair market for West-India produce in this country. Though, to act consistently with his principles, he must vote for the Amendment, yet he should rather have deferred the reduction on the West-India sugars, until those from the East Indies could also be included in the plan, if that had been in his power.

Mr. *Poulett Thomson* said, the hon. Gentleman had rather surprised him in the conclusion to which he came on announcing his vote to the House, for he had joined his support of the noble Lord's Amendment with several distinct propositions of his own, by way of contingencies. He must remark, also, that the question, as it had been argued during the present debate, involved considerable inconvenience, for frequent allusions had been made to the proceedings of the Committee up-stairs, although those proceedings were not yet laid on the Table of the House. [Mr. *Goulburn*: Some of the Resolutions had been read.] He was aware of that; but there were other Resolutions to which no allusion had been made, and they were surely bound to take the whole together, if they wished to arrive at a just conclusion. The hon. member for Dumfries, in alluding to those Resolutions, made a statement, from which he must dissent. That hon. Gentleman stated, that the effect of the Resolutions agreed to yesterday was, that a material benefit would arise to the West-India interests from a reduction of the duty on sugar, which would be likely to increase the consumption, and thereby take off the surplus produce. Gentlemen, who would take the trouble to consider the meaning of that Resolution, would find, that it states, that material relief would be afforded to the West-Indians, supposing, that by a reduction of the duty, the consumption at home was increased, and the supply for foreign countries sufficiently diminished. Now, he apprehended that no such contingency as was contemplated by the Resolution was likely to occur. Indeed, the hon. Gentleman who had spoken had not attempted to carry the argument to the extreme point to which it ought to be pushed. It must be admitted, that the effect of such a reduction, supposing that consumption were considerably increased, and the foreign supply diminished, would be, not to give relief to the West-Indians, to the full extent of the reduction of the duty, but to half the extent only, the other half going to the consumer, whose benefit was the ground on which he had always supported any reduction of taxes. In this case the advantages proposed to be given to both parties would not be commensurate with the loss to the revenue.

There might be a rise of price, after the reduction of the duty had come into operation, and consumption had increased, but that would *pro tanto* diminish consumption, and, of course, diminish by so much the advantage expected to be derived by the West-Indians from such a circumstance. But what would be the ulterior consequences? Why, supposing that there was a rise of price to the amount of one-half of the duty taken off, and that was to affect all the markets of the world—that is, of 2*s.* out of the 4*s.*, there would be an additional stimulus to the foreign colonist to increase his sugar cultivation; and that, whilst our colonists would find great difficulty in increasing their cultivation, the foreign colonists would have none at all, but would go on increasing their supply of sugar till, at last, the price again would fall; and, at the end of one or two years, the West-Indians would be in much the same situation as at present. Arguing, then, from these premises, as to what benefit a reduction of duty of 4*s.* per cwt. would give to the West-Indian interests, they must, in the first instance, deduct one-half of its amount, which would go to the consumer, and recollect that the other half would remain to them for a very limited period. To represent this question of a reduction of duty, with reference to the permanent interest of the West-Indian proprietor, was an entire delusion. They were called upon to make a sacrifice of revenue, to aid the suffering interests of the West Indies, while the benefit to be conferred upon them would not any thing like balance the loss of revenue that must accrue from the experiment proposed. It was stated by the noble Lord, the member for Liverpool, that he voted for this proposition, because it was necessary to show the colonists that the mother country had since sympathized with their distresses, and not that he expected much substantial relief would be afforded them by its adoption. Now, his noble friend, who had attended the Committee which had sat upon this subject, knew that, only that very day, three or four specific propositions, pointing out modes by which the West-Indians might be benefitted, were affirmed by that Committee; and his noble friend must have known, from what passed in the Committee, that there was throughout a concurrent feeling of anxiety to devise some means, by which relief might be afforded to the West Indies, compatible with the other interests of the country. The House was told, that the reduction in the duty would not be attended with any diminution of revenue. He certainly could not suppose, that the right hon. Gentleman, the member for the University of Cambridge, concurred in that opinion, for he remembered that he counted upon a considerable falling-off in the revenue on the occasion of the last reduction of the sugar duties; and the right hon. Gentleman was borne out by the fact, for he found that the diminution of the duty, up to November, 1831, was 350,000*l.* The returns for the years 1830 and 1831 could not be compared with any degree of propriety, because, for one quarter of the former year, bounties were offered on the export of sugar; the operation of which would, of course, be calculated to mislead. No doubt, generally speaking, the reduction of duty upon an article was followed by such an increase of consumption as to go very far in making up the deficiency that would be otherwise occasioned to the revenue. But he did not think that this principle acted with its usual force in the case of sugar, for they had seen the most extraordinary decline in the price of sugar, which was the same thing as regarded consumption as a reduction of duty, and had not seen an increase of consumption at all in the ratio of that decline of price. Sugars had declined from 53*s.* and 54*s.* in bond to 24*s.* in bond, the difference being equal to more than the amount of the whole duty, but there had been by no means a relative increase in the consumption. Without, therefore, denying the general principle that a diminished duty augmented consumption, he thought that, in this case, they could not reckon upon the deficiency of revenue occasioned by a reduction of the duty being filled up by increased consumption. He put it to the hon. member for Kircudbright and others, who had so sanguinely assumed this proposition, to consider, before they built upon such speculations, what was the amount of revenue which it was proposed to put in jeopardy by the Motion of the noble Lord opposite. It was no less than from 750,000*l.* to 800,000*l.* Supposing a defalcation to that extent took place, how, with the revenue in its present condition, could that loss be supplied? Hon. Gentlemen came down to the House, and talked largely of the necessity of maintaining public credit; and they had taunted his noble friend with the deficiency arising from a too sanguine calculation of the effects of a principle which hon. Gentlemen opposite were now supporting. But if, on former occasions, they had urged those considerations, with what confidence could they now support the Motion of the noble Marquis, the member for Buckinghamshire, when it would, according to all calculations, go to increase the deficiency, or to prevent it being filled up; and would thus leave the country, if not with a larger arrear than at present, certainly with a similar one next year? He would ask those Gentlemen—and, indeed, the whole House, for all were equally interested in the support of public credit—whether, by putting such a sum in jeopardy (and the most sanguine advocates for the principle now contended for could not expect that the deficiency would be made good in the first year of its operation), whether they were acting on principles of good faith with the public creditor? Were they prepared to make this sacrifice, without providing other means to meet the engagements the country had entered into with him. He objected, then, to this Motion, because the benefit that would be reaped by the West-Indians was not proportionate to the sacrifice the revenue would sustain. Even if that were not the case, he could not consent to afford this relief — supposing it were likely to be effectual, which he did not think it would—on terms that would place in the greatest possible danger the public faith of this country towards the national creditor. The hon. and learned Gentleman, the member for Kircudbright, had placed this proposition on grounds which he was scarcely warranted in assuming. He said, that it was necessary to agree to the Motion of the noble Lord, for the purpose of convincing the West-Indians, that this House was considering their interests. Now, he believed that the West-Indians would feel just as well satisfied of that fact by the Resolutions which had been agreed to that day in Committee, as by adopting this Amendment, not specifically proposed, but only hinted at by that Committee among the various measures of relief which it had suggested. The proposition made by his noble friend was, to continue the sugar duties according to their present rate for six months, and it was accompanied with a declaration, that he contemplated introducing some measures of fiscal relief for the West-Indians, but that relief would be coupled with conditions, without which he could not, consistently with the pledge he gave last year, grant it; and these conditions were, the adoption of such regulations in the colonies having legislatures of their own, as the Crown colonies might be subject to. He wished to ascertain how the hon. Members opposite proposed to deal with that question; he would ask hon. Gentlemen who took the same view of the subject as his noble friend, well to consider before they gave their vote in favour of the proposition of the noble Marquis, whether the result of his Motion being agreed to would not be, to take away all opportunity of redeeming that pledge? If the duty on sugar was reduced to 20*s.* without adopting the principle laid down by his noble friend, of discriminating between the colonies, and conferring additional advantages on those which accepted the measures proposed by the mother country, the means of enforcing those measures would be destroyed. He said, then, that those Gentlemen who thought it advisable to redeem such pledge, or, at least, to give time to see how the regulations alluded to would be met in the colonies, and whether the local legislatures adopted them, would do well to consider whether the Resolution of the noble Lord would not annihilate all hope of redeeming that pledge, of enforcing that condition, and of doing that which, holding the principles they did, they must look upon as an imperative duty. In conclusion, he must say, that he hoped that those Gentlemen who wished to give relief to the West Indies would not support a measure which would be a benefit to the West Indies only proportionate to the half of the sum which would be lost to the revenue, while that loss, amounting to 750,000*l.* or 800,000*l.* would place the public credit in considerable danger.

Lord *Sandon* considered the explanation of the right hon. Gentleman anything but satisfactory. All that related to the measures of relief intended to be afforded by Government to the West-Indian interest was involved in uncertainty and mystery. He could not sufficiently regret that whenever any arguments were adduced in that House for, or in behalf of, any suffering commercial interest in the West Indies, it was sure to be met, by way of estoppel, by an allusion to the still stronger claims of suffering humanity, for purposes which it was not important that he should trace to their source. Difficulties, undoubtedly, did exist in the way of settling the question; but he could not allow, that a great interest was to be kept in a suffering condition until they were completely removed. He did not see how the question of humanity at all affected the subject before the House. The right hon. Gentleman had certainly said, that the vote would preclude the House from following up the resolution of last year, but that was by no means the case, for the further measures of fiscal relief which the noble Lord, the Chancellor of the Exchequer, had in contemplation might be accompanied with the very conditions he had alluded to. When they had the measures of relief and their accompanying conditions before them, they could consider the two together, and see how far they would offer a boon to the West Indies.

Mr. *Poulett Thomson* denied the charge of the noble Lord, that he had first introduced the subject of slavery to the notice of the House in conjunction with this question. When his noble friend (Lord Althorp) had stated his views to the House, and had explained what he intended to do for the West Indies, he had expressly stated that he should make it one of the conditions for determining his conduct, that the islands having legislatures of their own should adopt the regulation which had been adopted in the Crown colonies. With regard to his motives for making the observations the noble Lord had alluded to, if the noble Lord supposed that they were not as pure as any the noble Lord professed, he begged leave to give that supposition a flat contradiction.

Lord *Sandon* said, he did not quarrel with the proceedings of the noble Lord, but he did quarrel with the proceedings of the right hon. Gentleman for including in a discussion on the question whether the duties on sugar should be 20*s*. or 24*s*., the question of the condition of the slaves. If it were the intention of the Government that no relief should be given to the West Indies, unless they submitted to restrictions, why was that not stated before going into the Committee? He was astonished, if the Government entertained such opinions, that it should have made a grant of 100,000*l*. to Barbadoes without first insisting on that island adopting the regulations. He begged not to be understood as attributing improper motives to the right hon. Gentleman.

Lord *Howick* did not think the Committee exactly understood the manner in which the two propositions were connected. The case stood thus. In April, 1831, his noble friend, on the occasion of the motion of the hon. member for Weymouth, stated, it to be his opinion, that the time was come at which it would be proper to enforce, by some means or other, upon the colonies—having Legislatures of their own—the adoption of certain measures with respect to slavery; and that, as a means of attaining that object, it was the intention of the Government to send out such a code of laws as would answer the wishes of Parliament and of the country; and the acceptance of which by any colony should be the condition of its benefitting by any financial relief that this country might be able to afford to our West-Indian possessions generally. In conformity with the intention so expressed, an order in Council was made on the 5th of November last. The hon. and learned member for Eye, took a large share in discussing that Order in Council, and he must be aware that, without a departure from the pledges of this House, in April last, it was impossible for his noble friend to propose any measure of relief to the planter, which should not be conditional in the manner he had stated. This had been duly intimated to colonies having legislatures of their own, and unless the House was prepared to abandon the measures to which it was solemnly pledged, any relief to the planter must be conditional. Suppose the Motion of the noble Lord was carried, what would be its effect? Why no relief whatever would be given to the colonies which were most distressed—such as Jamaica, Barbadoes, and Antigua—whilst Trinidad and Demerara, where the Order in Council of November last would apply from the time of its arrival, would send in their sugars under it; but the other colonies would want some months to consider the matter. If the reduction were to take place, therefore, from the 5th of April, with this condition attached to it, the Crown colonies would have a great advantage over the Legislative colonies. This, he believed, was the manner in which his noble friend put the question, and explained his reason for taking the duties for six months only. By this means, too, the House had a perfect assurance that, in the course of the present Session, the subject would be again brought before it; for if it were not, sugar, on account of the Act expiring in October, would subsequently come in duty free. Under these circumstances, and in justice, as his right hon. friend had stated, to the public creditor, who required that they should not make this large reduction of duty without providing for the deficiency that must result from it in the revenue, and in justice to the old colonies themselves, which were most distressed, they ought not to adopt the Amendment proposed by the noble Marquis, but rather agree to grant the duties for six months, and thus give all the colonies an opportunity of enjoying the advantage of whatever relief the House might be able to afford them.

Mr. *Goulburn* said, in the few observations he had to make, he would not permit himself to be diverted from the subject immediately before the House, or follow the noble Lord who had just sat down into the question of those ulterior measures, of which they had received notice in the last Session of Parliament, and which would undergo deliberate discussion at the proper time. He did not think those questions were immediately connected with the subject before the House. He considered the noble Lord, the Chancellor of the Exchequer, was right in mentioning them in the manner he did, and in refraining from entering into further detail with respect to them. It would have been well if others who followed the noble Lord had taken the same view of the matter, instead of making unnecessary and undefinable allusions to ulterior measures. With respect to the question before the House, he had considered that it would have been desirable, if possible, to postpone this discussion until the noble Lord was enabled to make some statement to the House of his intention or power of relieving the West-Indian colonies from a part of their distress, or of informing them whether he had it in his power to afford them any relief whatever. He felt that, to enter into the discussion before that period, would be premature. It appeared that the noble Lord had despaired—in the interval which yet remained to him, before he was obliged to bring on this matter—of being able to state whether any relief could be afforded or not, or of submitting to Parliament distinctly what the ulterior views of the Government might be. They were called upon now, then, to come to the decision of the question before them, not so much upon its merits as upon the consequences which must infallibly result from their proceeding in this matter with reference to the temper and feelings of those whose interests were materially bound up in the decision they might come to. He must confess that he never felt greater difficulty in arriving at a decision upon a question than upon that at present before them. He felt what he had often expressed in that House, that it was their great duty to maintain the revenue of the country at a height which would enable them to discharge all their obligations. He felt as strongly as the Vice President of the Board of Trade, the necessity of preventing any addition to the existing deficiency of the revenue. But, on the other hand, he also felt they could not say to the interests now at stake, "We were so unduly liberal to others last year, that the revenue is suffering, and, therefore, we cannot help you." He felt that it was unfair to them, that because, last year, immense and uncalled-for concessions was made to other interests of the country, therefore they must be neglected. He felt this the more, as when those concessions were made, he had objected to them on the ground of their reducing the revenue too much, and thereby preventing the House from making any concession in the very quarter that now applied for it. Impressed, then, more than ever with the advantage of maintaining a surplus revenue, acknowledging the fairness of the claim now preferred, and also, that the parties who at present applied, suffered in no ordinary degree, and far more than any of those classes to whom relief had been lately extended—he never was under greater embarrassment with respect to the decision he ought to come to, than at the present moment. He confessed, however, that if there was any truth in the documents on the Table—if there was any justice in the reasoning to be drawn from them—he could satisfy the House that the risk to the revenue, which would be incurred by the adoption of the proposition of his noble friend, was not much greater than that which would result from the proposition of the noble Lord, the Chancellor of the Exchequer, which was simply to continue the sugar duties for six months—holding out to the country the expectation that, before the expiration of that period, some measures of fiscal relief to the West Indies would be carried into operation, in conjunction with the imposition of discriminating duties upon the produce of different colonies, according as they acquiesced or not in the views of Government upon another subject. What must be the effect of such a system upon the revenue must be considered. His noble friend, the member for Liverpool, had stated, that expectation would be excited, and the operations of trade embarrassed; and he asked any individual, conversant not merely with the operations of trade, but with the feelings of human nature, whether he thought that any one would purchase sugar till such reduction of the duty should have taken place, or, at least, whether the consumption would not be previously reduced to the lowest possible amount? If the noble Lord had held out, that, at the end of six months he would raise the duty, why then, indeed, he would have had an increased revenue, from the increased quantity that would be taken out of bond; but, as this proposition now stood, he appealed to his own good sense to say, whether the proposal had not a tendency to reduce the consumption, and, consequently, the revenue, to the lowest possible amount? He said, then, that if the House adopted the proposition of the noble Lord, after the statement with which it was accompanied, the loss to the revenue would be very little inferior to what it would be if the duty were at once reduced by the amount proposed by his noble friend the member for Buckinghamshire. Add to this consideration, the motive which he supposed every man who regarded the interests of the colonies as interests important to the country, had to give some evidence in support of his solicitude on the subject, and they had sufficient justification for not adhering to the scale of duties now proposed by the noble Lord, the Chancellor of the Exchequer. The Vice President of the Board of Trade had attempted to show, that the reduction of 4*s.* in the duty would not produce that great extension of consumption which was necessary to give effectual relief to the West-Indians; and he was quite ready to agree with him, that, on the other hand, the reduction of that amount of duty, if the degree of consumption remained the same, would create a loss to the revenue of upwards of 700,000*l.* But, when they looked at the documents on the Table of the House, they observed, that the last reduction of 3*s.* per cwt., instead of producing the loss of revenue, which every one calculated upon did not produce any at all. It was within the knowledge of the House that the sugar duties were reduced 3*s.* per cwt. from the 5th July, 1830. He agreed that the taking the year ending 5th July, 1831, would not be a fair mode of estimating the duty, as it would include a period from July to October, 1830, when an artificial excitement was given to the export trade in sugar. He would avoid that error in his calculation, and would take the half year ending 5th July, 1830, when there was no expectation of a reduction of duty, and compare it with the half year ending on July 5th, 1831, after the excitement had passed away. Taking that as the term of his comparison, he found that the amount of revenue obtained from sugar in the half year ending July 5, 1831, was more by 27,000*l.* than the revenue obtained from sugar in the half year ending July 5, 1830, though the rate of duty was lower by 3*s.* The consumption had increased sufficient to make up that sum. He believed that the reduction of duty of 4*s.* would not cause any material deficiency of revenue, and he, therefore, would support the Motion for the reduction of duty; and he thought it would be particularly useful, not merely for the relief it would actually afford to the West Indies, but as a sign of the sympathy of the Legislature of this country with the colonies. It would contribute to rally around us all the strength and all the attachment of our colonies, which could not fail to be, in these critical times, of great importance.

Mr. *Burge* contended, that the colonists were not now calling for what the noble Lord and his friends seemed to consider a boon, but for that which had been long promised, and denied them—an act of justice. Over and over again the colonists had been told, that the war duties on sugar should be repealed. It was for the House to consider, whether they would now refuse the little which was asked, or whether they would, by persisting in the course recommended by the Government, place the colonists in such a desperate condition as to render them unable to continue their connection with this country. The House was pledged to a reduction of these duties, and he asserted, that he was the best advocate for the public credit of the country, when he called on them for that reduction. He felt it his duty, at that moment, to abstain from making any comments on the effect of the fiscal regulations lately introduced. A better opportunity would arise for the discussion of that question. He would content himself, therefore, by expressing the gratification he felt on hearing the sympathy for the West-Indians which seemed to be felt by all who had spoken on the subject, and he hoped they would make that sympathy effectual, by voting for the proposition of the noble Lord.

Mr. *Robinson* observed, that the Vice President of the Board of Trade rested his strongest argument on that injury which a reduction would produce to the revenue —an injury so much greater than it was able at present to bear. Now, without admitting all the extent of that injury, he must say, that, before the Government made up their minds to give up voluntarily a million and a half of taxation last Session, they should have considered the sufferings of the colonists; for, in his opinion, the reduction of the duties on candles and on coals was not half so much required for the prosperity of the country as the reduction of the burthens of the colonies, with a view to the increase of the consumption of the articles they produced. He trusted that the House would consent to the present proposition, as the commencement of a course which would be productive of good rather than of loss to the revenue, while, at the same time, it would add much to the comforts of all classes of the people.

Mr. *Patrick M. Stewart* said, that the argument of every Chancellor of the Exchequer, who had been in office for some time past, on questions of this nature, had invariably been founded on economy. Their maxim had uniformly been, "my poverty, and not my will, consents." This state of the case placed the House in a very delicate and peculiar situation, because, under such circumstances it was necessarily called upon to decide between the distresses of the Exchequer, and the still greater distresses of a large portion of the community. He had listened with great attention to every thing that had been said with respect to this question, upon both sides of the House, and he concurred in the anxiety which every man must feel to preserve undiminished and untarnished the public credit. If he thought that, by voting in favour of the Amendment proposed by the noble Marquis, he should, in the slightest degree, place the revenue in jeopardy, he would refrain from doing so; and he would rather sacrifice what he conceived to be vast interests, though of an individual character, than adopt such a course. He agreed in every observation that had been made in support of the Amendment, which was sanctioned and recommended by the success which had attended experiments of the like description on articles of not a dissimilar nature, and there would be no risk whatever in adopting that plan. It had been said by the right hon. Gentleman, that the reduction proposed would cause a diminution of 700,000*l.* or 800,000*l.* Supposing that a decrease in the duty on sugar were to cause an increased consumption to the extent of 40,000 hogsheads, which was about the present surplus produced, and cause that quantity to be taken from the market, the duty payable on this quantity would be about 900,000*l.* That was no vague idea or visionary notion. Chancellors of the Exchequer who had preceded the noble Lord, had found that such were the results of a reduction of duty. There was a case in point, coffee. Prior to 1808, a duty of 2*s.* 2*d.* was imposed upon that article; and that duty then produced 119,500*l.* In the course of that year, the duty was reduced from 2*s.* 2*d.* to 7*d.*; and in 1809, the year after this deduction, the smaller duty produced 270,000*l.* The duty on coffee had since been reduced to 6*d.*, and it produced to the revenue about half a million of money. He would not trouble the Committee by entering into further details in support of this argument. He would only say, that the experience of every staple article of great national consumption would bear him out in this assertion. They all recollected the result of the arrangement which was made in the case of spirits. The duty was at once reduced thirty per cent, and the following year the quantity consumed increased upwards of fifty per cent, and the duty increased until it attained its present state. Standing upon this ground, therefore, and feeling as much disposed to take care of the revenue as the Chancellor of the Exchequer himself, he was disposed to adopt the course which he had expressed his determination of following. The colonies were now in that state that something must be done for them; and he entreated the House to recollect, that this was a pressing and a peculiar juncture, that much misery and distress prevailed, and that it was absolutely necessary something should be attempted for the relief of the colonists. He also begged the House to recollect, that it was not now called upon to vote in favour of the colonies as an act of kindness or courtesy, but as an act of justice. He feared, with other hon. Members who had spoken, that there was a kind of anti-colonial feeling in the House, and a wish to undervalue the importance of the colonies, which he most sincerely lamented. Buonaparte held a different opinion. "After many unsuccessful and fruitless attempts, I find," he said, "that I cannot conquer England while she retains her colonies." He would only say, in allusion to that opinion, in the words of one who had passed much of his time in inspecting, and who so well treated of, our colonial institutions, "Some politicians, with more rhetoric than information, are disposed to hold these things too cheap; but every seaman, every merchant, and every practical statesman, knows their inestimable value." In this opinion he most heartily and entirely concurred. He might be prejudiced, because his lot in life was dependent upon the prosperity of these colonies; but if he could divest himself of that feeling—if he could look at them with a wider eye, as an individual perfectly unconnected with them; seeing the great advantages they produced to this country, he should say, that the country was mainly dependent for its welfare on the prosperity of its colonies, and that it was its duty to protect them and relieve their distresses. To give his vote effect, he would beg leave to read to the House a short quotation from a memorable debate which took place about eighteen months ago. The right hon. Gentleman, the Vice President of the Board of Trade, took a distinguished part in that debate. What was his opinion? Why that the duties on sugar should be reduced to this identical amount. In that same debate, Mr. Huskisson said:—"Feeling, however, as I do upon this subject, I say openly, that even if we were to suffer for the next six months some loss, such, in my conscience, do I believe to be the deplorable state of the planters in those colonies—such is the suffering and distress to which many highly respectable families, and the children of affluent parents, have been reduced, by the general fall in the prices of all West-India produce—that I think it would be a wise and sound policy, on the part of the Parliament of this country, to manifest its sympathy and its feeling for that long-suffering class of our fellow-subjects, by offering, even at some temporary inconvenience to ourselves, all that relief and assistance which, in the present distressed and embarrassed condition of all classes, it is in our power to give them. Much as the West Indians have been promised, from time to time, nothing has as yet been done for them. Up to this hour, although every class in the country has received some relief, nothing has been done for them. No attempt has been made to relieve their staple commodity from the burthen which oppresses it, although the reductions which have been made in the duties on coffee, and other articles of the same description, give us reason to hope, that the effect of such relief would tend to increase, rather than diminish, that revenue, which is supposed to offer the obstacle."* Agreeing in that opinion, he should give his vote in favour of the noble Lord.

Mr. *Adeane* expressed his determination to support the proposition of the noble Lord, both on account of the relief it would afford the colonists, and the addition which it would make to the comforts of the poorer classes in this country. If he thought the reduction of duty would amount to anything like 700,000*l.* or 800,000*l.*—he might pause before he agreed to injure the revenue to that extent, but being convinced it could not reach 400,000*l.*, he would not allow the fear of a reduction of that amount to prevent his consenting to an act of policy and justice.

Mr. *Hunt* agreed, also, that the reduction could not operate injuriously, and he would, therefore, vote for it. It was a question, indeed, from the condition of the people of this country, whether the continuance of such high duties would not lead to a reduction of revenue by a diminution of consumption? The reduction of the duty would be a benefit both to the consumers in England, and the planters in the West Indies, and it should have his cordial support. Considering the state of both classes, he would willingly vote for a still larger reduction of the duty, if any body would propose it. That the men who had formerly brought forward a measure to reduce these duties should now propose to continue them did not surprise him, for he knew how men changed their opinions with their seats. Whenever they found themselves fixed on the Treasury bench, the Treasury must be, above all things, supported. If, however, Ministers had thought more of the Treasury when they were voting away large sums for the support of a large standing army, and for answering other unnecessary expenses, perhaps they might have done more on this occasion. Such was the state of poverty into which the lower classes were plunged, that tea and sugar were, with many, their best support, and, therefore, he contended, under all the circumstances, this reduction ought to be made.

Mr. *Baring* thought, on the whole, this discussion had been of a satisfactory character, inasmuch as Gentlemen had consulted their own opinions and independence in the consideration of this important question. This had afforded him great pleasure, because all questions affecting the commerce of the country ought to be especially decided without reference to party feeling. He had upon all occasions endeavoured most conscientiously to divest his mind of political friendships, whenever such questions had been brought under the notice of the House. On this occasion, however, he was free to confess, that he felt the welfare of our colonies was important to the well-being of the country. Under this impression, he would beg to make a few remarks upon the subject now under discussion. He had been taunted with having observed at one time, that the silk trade seemed to be a condemned trade in this country. He might, he thought, with equal justice say now, that the colonists were a condemned body in the community. The course pursued towards them was, undoubtedly, that which was only justifiable towards the convicted; but it was with him a serious consideration, whether they might not obtain a full sense of the value and importance of the West Indies, when that knowledge would be too late. With respect, however, to the present proposition, he must say, he thought it could do no good to this country, or afford any material relief to the sufferers, although, as the expression of sympathy, it might, in the present state of their affairs, be of some service. The real question was, however, just this—would a reduction of duty increase the revenue? He thought not. And in the present financial condition of this country, he could not, under such circumstances, hazard so large a portion of revenue on the experiment proposed by the noble Lord. He must add, at the same time, that he deprecated these votes for six months, because they gave a check to commercial transactions, and unsettled all the arrangements of trade. No man could, indeed, be expected to hazard his capital in any undertaking, when the permanency of the regulations affecting it was so uncertain. He did not wish to enter into the question of the fiscal regulations applied to the colonies; but this he would say, that the West-Indians were so much reduced in credit by hurricanes and by insurrections, that no man connected with them could raise money on his property there, even at two years' purchase, to build up again his fallen fortunes. Without, however, pursuing this subject further, he would say, that he must give his vote at present in defence of the revenue, and in opposition to the Motion of the noble Lord.

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* Hansard's Parl. Debates, New Series, vol. xxv. p. 532

Mr. *Fowell Buxton* said, that in his vote, he should only be influenced by what would benefit the negro; and, although he had no hostility to the West-Indian interest, yet when he knew that every relief to the planter would only be the cause of additional work to the negro, he would not vote for the present Amendment. If the question respecting the West Indies were not speedily settled, it would settle itself in an alarming way, and the only way in which it could be settled was, by the extinction of slavery. The noble Lord was, in his opinion, right to refuse the planters relief until the planters had granted the amelioration to which they were pledged. When he heard of insurrection, he was not much surprised at it, and was convinced, that nothing effectual would be done to suppress it until the question of the extinction of slavery was set at rest. Being of opinion that the Chancellor of the Exchequer's plan of combining relief to the planter with the amelioration of the negro's condition was good, he would vote against the Amendment.

Mr. *James* said, that he would not, like the last speaker, enter upon the question of slavery, and he certainly did not believe the statement made by the hon. member, that relief to the planter was not attended with relief to the slave. What he rose to propose was, that an *ad valorem* duty should be laid upon sugar, as it was unjust to the planter who, like himself, was obliged to sell at 40*s*., to pay as much as the man who sold at 60*s*. the cwt. Although a West-Indian proprietor, he was, nevertheless, unwilling to embarrass the Government at the present moment; and, because he believed they would do every thing in their power to relieve that body as soon as possible, he would vote against the Amendment.

Mr. *Warburton*, in explanation, said, that he wished to lower the duty on the lower-priced sugar, but not on the higher, as the best means of increasing the consumption. He must, however, vote with Ministers in the first instance, for if the noble Marquis's Amendment were carried, he (Mr. Warburton) would be precluded from proposing his.

Mr. *Goulburn* observed, that, on the contrary, if the hon. Gentleman voted that the duties should continue, he would have no power to propose a reduction of any of them. If, however, he voted for the lower rate of duty, he might afterwards propose an ascending scale.

The Committee divided on the Amendment: Ayes 134; Noes 148—Majority 14.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — TWENTIETH DAY.] On the Motion of Lord John Russell, the House went into Committee on the Reform of Parliament (England) Bill.

The question having been put, that South Shields, Durham, stand part of schedule D,

Mr. *Croker* said, that this was another of the Durham boroughs to which he begged to call the attention of the House. By a reference to a paper which had been quoted the other evening by the noble Lord opposite, entitled "a Return of the Population of every Place not now returning Representatives to Parliament, the Population of which exceeds 5,000 Inhabitants," it appeared that the chapelry of South Shields, contained 9,074 inhabitants, and paid the enormous sum in assessed taxes of 900*l.* a year. The position of this town was this: it was six or seven miles from Gateshead, seven or eight miles from Newcastle, one furlong from the new borough of North Shields, and five miles from the new borough of Sunderland. Thus, within a circle, the radius of which was five miles, there were five boroughs and seven Members. It might well be asked, why was not this town joined to some other of these boroughs? and at all events why should the two towns of North and South Shields be separated as to their representation, when they were identified in their interests and local situations; and being united rather than separated by the river Tyne, they had a complete community of feeling. As to population and the other elements of representation, South Shields was as well as Walsall and Whitley inferior to many unrepresented places; it had, moreover, been asserted, that the freemen of Newcastle lived in considerable numbers in these towns, and that, consequently, they had the less claim for separate Representation. He had so frequently endeavoured to invite the attention of the House to the monstrous anomalies, and inconsistencies, and absurdities, in which the present Bill abounded, that he felt unwilling to detain the Committee long on the monstrous inconsistency—on every principle in which Ministers professed to base their measures—of bestowing Representatives to South Shields, while towns far exceeding it in commercial importance, in wealth, and population, were left wholly unrepresented. This was a proposition which facts placed beyond the reach of controversy, and to these facts he would now earnestly invite the attention of the consistent supporters of Reform. Ministers told them that, in bestowing the franchise on towns at present not enjoying the privilege of returning Members to that House, they were guided by the average of population and assessed taxes. Be it so. Then what was the population of South Shields, and what the amount of assessed taxes collected in it? Answer—9074 inhabitants; assessed taxes, 900*l.* It followed that, on their own principles, every town not now possessing the right of franchise which exceeded South Shields in population, and contributed more towards the assessed taxes, was, *a fortiori*, entitled to the privilege of sending Members to that House. Now, without scouring the country for cases in point, he need only state the population and assessed taxes of thirteen or fourteen towns wholly neglected in the present Bill, to show that South Shields could not be invested with the franchise right without gross injustice to those places, and still grosser inconsistency on the part of the framers of the Bill. The right hon. Gentleman then read a statement to the effect of the following table:—

	Population	Assessed Taxes. £.
South Shields ..	9,074	900
Stourbridge ..	6,148	1,500
Warminster ..	6,115	1,560
Alnwick ..	6,788	1,400
Congleton ..	9,300	Average assessed taxes three times more than that of South Shields.
Mansfield ..	9,400	
Trowbridge ..	10,800	
Barminster ..	10,300	
Loughborough ..	10,100	
Ramsgate ..	7,900	
Tunbridge ..	10,300	
Gosport ..	12,137	
Doncaster ...	10,800	
Margate ..	10,039	
Croydon ..	12,450	

He would ask the supporters of the Bill on what principle of consistency could they vote for the present clause, which invested South Shields, the least important place in the foregoing list, with the right of returning a Member, while the other more important towns were not to have a single Representative among them? It should be recollected, besides, that South Shields was within a stone's throw of a place returning a Member, and in the neighbourhood of four or five boroughs, while the above-named towns were most of them separated by a large distance from any represented place. But, indeed, after the case of Merthyr Tydvil, with its 24,000 inhabitants, and separated by twenty-six miles from any place returning a Member; and Toxteth-park, with its 25,000 unrepresented inhabitants, he almost despaired of succeeding in establishing a case for Croydon or Margate. He wished to impress on the Committee that those other towns were increasing in population in a much more rapid manner than South Shields. That was an additional reason why it should not receive a Member. He was aware that Ministers had endeavoured to bolster up South Shields by annexing to it Westoe, so as to make the aggregate population 18,600. Had they acted in the same way towards the places he had just named, he was confident that the disproportion, and thence the injustice and inconsistency, would appear the greater. In conclusion, the right hon. Gentleman moved, as an amendment, "That South Shields be omitted in this schedule, and that North and South Shields be united with Tynemouth and given one Member." The Member thus saved might be given to some other borough, at the future discretion of the Committee. It was not for him to select the town which should receive the gift; all he contended for was, that there were many more deserving of it than South Shields.

Lord *Althorp* said, that, on discussing this case in the last Session of Parliament, he fully explained the principle on which Government proposed to give a Representative to South Shields; he would, therefore, content himself by saying, that Government thought South Shields entitled to be considered a separate borough, as constituting a port in which the shipping interest was much concerned.

Mr. *Croker* was surprised the noble Lord had rested the case of South Shields upon such narrow ground, when it was notorious that it formed part and parcel of the port of Newcastle, and had not even a separate Custom-house or collector. He would maintain that Government were treating the rest of the shipping interest unequally as compared with the coal-shipping connected with the Tyne. Was there no shipping interest on the Mersey? It appeared, however, that the noble Lord considered that the shipping interest, when connected with sugar or tea, cotton or timber, deserved no favour. All the Ministerial sympathy was directed to colliers. He would leave it to the Committee to decide whether the shipping interest generally could be protected by giving a number of Representatives to a particular portion of it.

Mr. *Hodgson* said, with regard to the shipping interest of the Mersey, he must state to the right hon. Gentleman that a great part of it consisted of vessels hired from the Tyne and other rivers. As to the population of South Shields, it was true that the inhabitants of the actual town did not consist of more than 9,000, but there was a continuous line of houses reaching into the adjoining township of Weston, and the united population exceeded 18,000 souls. With respect to its increase, it had been enlarged nearly one-third since the year 1821; the Tyne also was broader than had been represented by the right hon. Gentleman.

Mr. *Croker* referred to the reports of the Commissioners in corroboration of what he had said, "And," concluded the right hon. Gentleman, "now that I have confuted Government out of their own documents, does the hon. Member dare to repeat his contradiction?"

Mr. *Hodgson* answered, that he would never so far violate the rules of the House as to notice the expression of the right hon. Gentleman in the language it deserved, but he would tell him, in all parliamentary courtesy, that he flung him back his offensive term with indignation, and should he venture to repeat it elsewhere, he could assure the right hon. Gentleman that it would elicit from him a very different kind of reply.

Mr. *Croker* explained, that he did not mean to cast any imputation on the hon. Member, but surely he ought not to have hastily contradicted him when he was only stating what he had found in those sources of information which Government themselves had supplied him.

Mr. *Goulburn* contended that Government were dealing partially by South Shields, judging of the case merely on their own principles of Representation.

Mr. *Stuart Wortley* complained that a different principle was applied to Sunderland and Bishop Wearmouth, and South and North Shields, although in each case the two places were divided by a river, and in population, number of houses, and taxation, they were circumstanced alike.

Lord *Althorp* said, that the two Shields were more completely separated by the Tyne than Sunderland and Bishop Wearmouth by the Wear.

Sir *Charles Wetherell* said, that this was a flagrant violation of the principle laid down by the noble Lord. It had been understood as one of the principles upon which this new Constitution was to be framed, that the places having Representatives should be at a reasonable distance from each other. Now, in the county of Durham, there were nine Members in the short space of thirteen miles.

Lord *Granville Somerset* wished that the noble Lord had looked to Bristol and the river Severn, as well as to the north-east coast of England, and the river Tyne. The trade of the Severn was increasing very fast, and deserved more regard.

Mr. *Croker* observed, that Darlington had 2,000 inhabitants more than South Shields, yet it had no Member. The noble Lord had not been so ready to give weight to the shipping interest in the case of Dartmouth, though the eighth port in England in the scale of importance as to shipping, whilst the shipping interest of Shields was already sufficiently represented by Newcastle.

Mr. *Trevor* said, that this was only one of the anomalies of the Bill, which would be handed down to posterity as the greatest concatenation of folly ever known.

Mr. *Croker* thought it unnecessary to divide the Committee. Bad as this case was, he supposed they would meet with a worse; for, as Shakspeare said, "Each seems monstrous till its fellow comes to match it."

Question agreed to; and South Shields was ordered to stand part of the schedule, as was Tynemouth, without objection.

The question was then put, that Wakefield (Yorkshire) stand part of schedule D.

Mr. *Croker* wished to know the reason why the boundaries of this borough were made so narrow?

Mr. *Littleton* said, that nothing was to be gained by extending them.

Mr. *Croker* desired to know what the hon. Member meant by saying that nothing was to be "gained" by extending the limits?

Mr. *Littleton* asked, what were the limits which the hon. Member would propose?

Mr. *Croker* said, that it was not his business to settle the limits. He was not one of the Commissioners hired to settle these limits.

Lord *Althorp* thought that there could be no doubt that the hon. Member for Staffordshire meant, by saying that nothing could be gained by estimating the limits, that no constituency of any importance would be added to the borough. The right hon. Gentleman was also incorrect in supposing the hon. member for Staffordshire received any salary as a Commissioner; his services were perfectly gratuitous.

Mr. *Littleton*, in reference to the terms in which the right hon. Gentleman (Mr. Croker) had thought proper to allude to him, would only ask, what would be the feelings of that Gentleman himself, had it been said of him that he was hired to perform the part he took in the business of that House?

Mr. *Croker* knew that the hon. Gentleman was not paid by any salary for his services as a Commissioner, but he supposed that the other Commissioners were, and it was for those who were so paid, to answer the hon. Gentleman's question.

Question agreed to.

The House resumed. Committee to sit again.

HOUSE OF LORDS,

Thursday, March 8, 1832.

MINUTES.] Bill: Read a third time. Subletting Act Amendment (Ireland.)

Petitions presented. By Lord DOVER, from the Inhabitants of Bethnal Green, and from certain Individuals in the City of London, and by Lord SUFFIELD, from the Inhabitants of Christ Church, Spitalfields, against the Employment of Children for unlimited Hours in Factories:—By the Earl of FINGAL, from the Inhabitants of Kiltayle:—By Lord CLONCURRY, from Kill, Lyons, Bodenstown and Clonmere:—By Lord KING, from the Landowners of Monastereven, Kildangan, Nurney, Lacca, Rahill, Rathvilly, Moleary, Monastervoice, and Newtown, Carlow, against the Tithe System of Ireland:—By the Earl of FINGAL, from the Inhabitants of Kiltayle and Ballyconick, for a Reform in the Irish Representation similar to that of England as intended by the Reform Bill:—By the Bishop of LONDON, from the Clergy of the Deanerie of Boroughbridge, for the augmentation of small Livings by reducing large ones:—By Lord KING, from Tooting, to exempt that Parish from the Metropolitan Police Bill; and from Saltash, against certain parts of the Saltash Floating Bridge Bill:—By the Earl of RODEN, from the Protestants of Skull, the Presbyterian Congregation of Ballytrain; Inhabitants of Sevisby, and of Clare in Suffolk, against the proposed System of Education for Ireland.

CONDUCT OF THE EARL OF ELDON.] The Earl of *Eldon*: My Lords, in consequence of what has been said in another place, I feel it necessary to give you notice that on Monday next I shall bring forward a motion relative to the character and conduct of the individual who now has the honour of addressing your Lordships, and who for twenty-five years had the honour of sitting on the Woolsack as

Speaker of your Lordships' House. My Lords, I have no other object in doing this than to set myself right in the opinion of my countrymen, to whom I leave it to decide whether my conduct, during the time I filled the office of Lord Chancellor, has been right or wrong. I have discharged my duty invariably to the best of my ability; and I will allow no man, unanswered, to arraign my conduct. Not seeing any of the Members of his Majesty's Ministers in their places, and as I think that certain persons ought to be present when I make observations of this nature, I will decline saying anything further at present, and content myself with giving your Lordships notice, that on Monday I will bring forward a motion with respect to the imputations to which I have alluded. It is not fit that I should say more at present, but I wish to let my countrymen know that I am content to apply to them for the opinion which they entertain of my public conduct.

TITHES (IRELAND).] On the Motion of the Marquis of Lansdown, the first report of the Committee on Tithes in Ireland was read by the Clerk at the Table.

The Marquis of *Lansdown* then rose and said—My Lords, the Report which you have just heard read, together with the evidence on which that Report is founded, having been for many days in your Lordships' hands, I trust that I am justified in assuming that the time has arrived when you may with propriety be invited to accede to it. In submitting to your Lordships resolutions confirmatory of, and founded strictly on, that Report, for your approbation, I feel considerably relieved from the difficulties which I should have to contend with if I had to lay it before you on my individual authority, or if I had to ask your Lordships' concurrence in these resolutions, as the result of an opinion entertained by myself alone, from that difficulty I am relieved by the nature of the Report, and I feel great satisfaction in stating, that it represents, not alone my own opinion, but those of a Committee of your Lordships' House, selected from amongst you, and composed of persons the weight of whose judgment cannot fail to be greater than mine in your Lordships' estimation. It is, however, my business, my Lords, to bring these resolutions before your Lordships, and in asking you to adopt them, it will be necessary for me shortly to call your attention to the three prominent features of the Report, namely, to the facts and circumstances connected with the state of opposition which exists to the execution of the law in Ireland, as respects the collection of tithes; to the effect of that resistance upon the fortunes and condition of the individuals most interested in that description of property; and, finally, to the general considerations arising out of the bearing of these facts and circumstances on the property which has been attacked, with a view to finding a legislative remedy. It will be, unfortunately, an easy task to satisfy your Lordships as to the existence of the facts referred to in the Report. You will find that not only has a resistance to the payment of tithes prevailed in many parts of the country, but that it has been effected sometimes by illegal acts and outrages, more frequently by combinations among the people, by which they availed themselves of such legal difficulties as enabled them to delay or prevent the payment; but together your Lordships will find systematic opposition has been organized for a considerable time, which has continued to extend itself, with various and comparative degrees of violence, through several counties of Ireland. The result of this opposition and combination has been that in those districts, the majority of the parochial clergy are driven into a most unfortunate, and, I fear, as respects their rights and character, a most cruel situation — they having been deprived in very many instances of the means of subsistence, and reduced to live on the charity of their friends. Some of them have been compelled to make efforts by means of the law to recover their property, which have been, in many instances, unsuccessful, although supported by the power of the Government when that power could be properly employed. Some have succeeded in obtaining by force a part of that which was illegally withheld from them; but it is not desirable that such means to recover their incomes should be resorted to by clergymen; and others, perhaps the most estimable of the whole, who, in such a state of things, were fearful of sacrificing the sanctity of their character, and of losing the influence which they possessed among the people, declined to act at all for themselves, and they have trusted altogether to your Lordships and the wisdom of the Legislature to make a provision for them, they desiring above all things, with a view to the efficiency of their ministry, to avoid all collision with the people. It is their duty to console and instruct. My Lords, this is the state of things in which you are called upon to legislate with respect to the tithe system of Ireland. I can hardly presume that your Lordships have yet perused the evidence attached to the report, but I may presume that you are acquainted with the chief facts, by the common vehicles of information, and that, therefore, it will be unnecessary for me to dwell long on this part of the subject, or to detain the House by proving the extent of the combination and of the mischief which has arisen. I will only advert to one or two points. Your Committee examined clergyman after clergyman, and magistrate after magistrate, all of whom were well acquainted with the state of the country, and they all concurred in stating, that the clergy were unable to collect their tithes, and the Magistrates, that applying all the means at their disposal they were unable to give effectual assistance towards recovering the tithes. My Lords, I will only state the answers of one or two witnesses. We examined Mr. Roberts of Kilkenny, who stated, that the greater part of that county was engaged in a systematic resistance to tithes. We examined Mr. Cotton, of Tipperary, and Mr. Hans Hamilton, of the same county, besides various other clergymen, all of whom united in describing the opposition as of the most determined nature. But, my Lords, I will not detain you with this evidence; I will turn to the evidence of Magistrates, in order that you may understand how far it was practicable to give to the clergymen the assistence or protection of the law. We examined Colonel Sir John Harvey, the inspector-general of police for Leinster, who, after stating the intensity and extent of the feeling of opposition to the tithes throughout his division, and the inadequacy of the law to overcome that opposition, was asked—

"Has it since prevailed in more parishes?—It has extended to more parishes. I have here a more detailed statement of every occurrence connected with the opposition to the payment of tithe; it recapitulates what I have already stated, with the addition of a great deal more matter. They are facts to which the resident Magistrate of the county would be more competent to speak with precision than I can be, because my situation is one of a more general character. The gentlemen employed under me, and they are here in attendance can give the details, I can only give the substance of the reports of others as they are officially given to me.

"What counties does it extend to within your district?—The counties of Kilkenny, Carlow, West Wicklow, Queen's and Kildare.

"In what parts of those counties, and to what extent, did it prevail, taking Kilkenny first; does it embrace the whole of Kilkenny?—That question will be distinctly spoken to by Mr. Green, who is the resident Magistrate of that county.

"Do you understand it to be general throughout the counties; that is embracing a larger portion than the portion that is exempt from it?—Certainly; particularly in the county of Kilkenny.

"Do you conceive that this system is extending itself thither?—Certainly. I am satisfied that it is now rapidly extending; the proof of it is the notices of intimidation, which are almost every where given.

"What is the extent of the resistance; is it by force, or is it by refusing to buy at the sales?—The ostensible means of resistance are those by which they are enabled to keep the law, but to give every legal obstruction and every legal opposition in their power to the collection of the tithe.

"Does it fall within your knowledge whether they have been advised to offer every possible resistance, so as not directly to violate the law?—I cannot say that it has been within my knowledge, but I have always been impressed with the belief that the system did not commence with the lower orders of the tithe-payers."

And the evidence of Colonel Harvey is fully borne out by that of Mr. Fitzgerald, the resident police Magistrate, and Mr. Green, a resident Magistrate of the county of Tipperary. And in like spirit, and to the same effect, Major Tandy, a resident Magistrate in Kildare, informed the Committee that such was the extent and organization of the resistance, that the civil power was wholly incapable to enforce the payment of tithes. Major Tandy says, in his evidence that—"A few days ago, at Maynooth there were processes served upon different persons, and the process-server came to me, and told me, he received two threatening letters through the Post-office, to deter him from going to Maynooth. I told him he should have every protection. The man went there, but when the tithe cases came to be called on, the Attorney declined to proceed. He told me that he was afraid to proceed; that he had received two threatening letters, forwarded to his House in Dublin through the Post-office, and that he went to one of the principal clergymen by whom he was employed, and showed him those letters; and this clergyman said, 'I see your life is in danger, and therefore I will not press you to proceed upon it.' The consequence was, that this gentleman was afraid to proceed upon any of the tithe cases and they all fell to the ground, to the number of 160. There were four other Attornies in Court, but none of them would interfere." My Lords, I shall not detain you by further extracting from this report. The facts which are contained in the evidence attached to the report will convince you of the unhappy state of things which now exists in Ireland; but if it were necessary, I could refer you to the additional evidence received by the Committee since that portion which is now on your Lordships' Table has been collected. But I think I have said enough, and that I need not dwell any longer on the extent of the resistance, the menacing appearance, and the serious nature of the illegal opposition to the payment of tithes which has sprung up, and spread itself in such a dangerous combination through so many counties. My Lords, I flatter myself that I need not say anything to enforce the performance of the duty which devolves upon you of adopting resolutions to administer an effectual relief to the respectable body of persons who, through no misconduct of their own, are placed in this unfortunate situation. To afford relief to the Irish clergy is not only a matter of expediency, or generosity, but of strict justice. When I recollect who are the persons brought into this unforeseen and unhappy position —that they are gentlemen of education, who have foregone other prospects in life, and devoted themselves to the Church, in expectation that the incomes allotted to them would at least have been secured to them; when I think on all that they have endured, I am sure it will not be necessary to urge many reasons on your Lordships to induce you to adopt that recommendation of the Committee by which his Majesty's Government are to be empowered to grant them assistance out of the Consolidated Fund, in respect of the tithes due for one year, that year being the one during which the spirit of resistance chiefly prevailed, on a scale which it is not necessary for me to enter into any explanation of, because you will find it in the appendix to your report. The scale is, of course, regulated by the annual income to which each clergyman is entitled; but the Committee in recommending that it should be adopted, have not forgotten that it was necessary to vindicate the law; and the Report recommends that a power to levy arrears in the districts where the resistance has been most effectually organized shall be vested in the Government, as the means of obtaining the repayment of its advances. Here, my Lords, I will quit this part of the subject; and I trust you will agree with me that the Committee have not neglected any remedy calculated to meet the existing evils, or to provide for the wants of that deserving body of men, whose claims are founded on right and justice, and who have, in common with all his Majesty's subjects, a claim on the full and complete protection of the law. My Lords, the Committee have not confined themselves in this investigation, to the evils suffered by the clergy, but they have felt it to be their duty, in examining into the causes of that system of opposition which has arisen, not to overlook the circumstances connected with the particular nature of tithe property which are calculated in a peculiar manner to promote dissentions, to engender broils, and to excite those animosities which have so long prevailed in Ireland on the subject, and which, if ever they remained dormant for a time, were soon afterwards put forth with increased activity. My Lords, it cannot have escaped the notice of such of your Lordships as have reflected on the nature of this species of property, and the circumstances with which it is connected, that though it is venerable for its antiquity, and though it has been found to exist, in some shape or other, in almost every country it has been more or less complained of as containing within it the seeds of great discontent. It is hardly necessary for me to contend in this place for the truth of a proposition so obvious, that tithe operates as a tax on industry. The question also has been mooted here, whether the tithe operates as a tax on the landlord, or the tenant in possession, or on the consumer. It is my opinion, that it operates either immediately or remotely, as a tax on land falling on the landlord. Putting out of view the opportunity the landlords may have by the changes of the law, by the prohibition or restriction on the importation of corn, to raise the price of that and remove the burthen from themselves, it must be clear, that whenever a lease comes to be renewed, the landlord will only get a rent proportioned to the claims which are upon the land, and the tenant will give a rent calculated on the diminution of a certain portion of his produce, which is *pro tanto* a diminution of the fertility of the soil or of its value to him. Its effect as a tax does not stop here; it not only acts upon the landlord but on the occupier, but as no one takes land without contemplating to expend capital and labour upon it, the tithe follows upon and increases in proportion to the increased produce obtained by that expenditure. The capitalist must take into account the returns he is likely to receive, and as those returns are diminished by the tithes in that proportion is his enterprise checked, and the employment of his capital, rendered profitless. Thus, my Lords, if you consider for a moment, you will find that it is a tax not only on the income of the landlord, on the industry of the tenant, but on the labour, power, machinery, and animals, in short, on all the capital which is brought to bear upon the land. The effect of tithe is, therefore, to deter, rather than to encourage improvement; it makes, on an average, all land less productive by one-tenth, and it deprives *pro tanto* the tenant of a part of the surplus which should remain to him, after paying his landlord, and for the natural outgoing of the farm. It obstructs the occupier in all his designs, and discourages him from laying out capital on land at present unproductive, lest he should have to share his gains with a person who has contributed nothing to the stock or to the risk. Besides bearing on the landlords, and on the occupying tenant, it falls heavily on the consumer, inasmuch as its effects are to cause a diminution of food, and a consequent advance of price in the market. As tithes have, on all occasions, borne hard upon the owners and the tenants of the soil, as well as of the consumers of the production of the land, the system has, from time to time, undergone modifications greater or less, in many of the countries where it has existed. Far be it from me, my Lords, to recommend those modes by which, in some places, the tithe has been removed on the principle of spoliation, and without an equivalent being paid to the Church to which it belonged; and I only allude to the modifications which have taken place, for the purpose of showing that wherever the tax has been in operation, it has been dealt with according to the circumstances of the country. In some places, as I have said, the Church has been spoliated of its property; but this is an example to be avoided, and not to be imitated; in other places a different kind of property has been substituted for the tithes, and means have been taken to find an income for the clergy in another shape. The system of farming a public revenue, which has been sometimes done with tithes has always been productive of great inconvenience. It is uncertain and irregular in its operation. It cannot extend to a whole county in the same form and proportion. The amount to be collected is regulated by local customs, caprice, or the feelings of the persons entitled to the produce. In one district it is larger in amount than in another, and it is calculated to impress on those who are rated in a high proportion a sense of the injustice which has been done them. In some places, for instance, nine-tenths of the tithe is taken; in others only seven-tenths; and in others perhaps, but six-tenths; and to this must be added the vexations attending the collecting of it, consequently the man from whom the larger sum is exacted feels that a wrong has been done him, and he complains of the great injustice which he sustains, in comparison with that of his neighbour. I am aware, my Lords, that the great antiquity of the institution of tithes, associated as it has been with long habits, makes it, at least, a matter of hesitation to what extent the system should be interfered with in other countries; but I ask, my Lords, with what aggravated force, with what intolerable bearing do not those inconveniences press upon the particular condition of Ireland? In Ireland the Legislature has been repeatedly called upon to interfere to mitigate the evils flowing from the existence of the system. I will not occupy the time of the House, by any reference to the Acts of Parliament passed, both before and since the Union, in which the Legislature has assumed the power, or rather invested the Government of the day with a power, beyond the ordinary course of the law for the enforcement of tithes; I shall only allude to a measure which has been passed within the recollection of all of your Lordships—I mean the Tithe Composition Act. I lament, for the sake of the country, that at the time that Act was introduced it was not made compulsory; at the same time, I am bound to state, that I do not believe it was the fault of my noble friend who introduced the measure in this House that it was not made compulsory. If the Tithe Composition Act had then been made compulsory, we should have advanced a step forward, and the progress we are now called upon to make would have been rendered less difficult. I certainly shall not detain your Lordships by going through any considerable part of the evidence taken before the Committee; but I must beg leave to call your attention to the testimony given by one or two persons, in order to prove what they think as to the expediency and practicability of upholding the tithe system as it at present exists in Ireland. Allow me, first, to direct the attention of the House to the evidence of the Archbishop of Dublin, who had certainly no bias on his mind against the particular provision from which the clergy of the Established Church have derived their incomes; and, in adverting to the evidence of this distinguished Prelate, I must observe that I do not rely on his evidence alone, but on that of others given through him. I shall read the exact words of the right rev. Prelate, in which he states his opinion as to the impossibility of persevering in the present system. The emphatic words of the Archbishop of Dublin, as given in page 137 of the evidence, are these,

> "But as for the continuance of the tithe system, it seems to me that it must be at the point of the bayonet—that it must be through a sort of chronic civil war. The ill feelings that have so long existed against it have been embodied in so organized a combination, that I conceive there would be continually breakings-out of resistance which must be kept down by a continuance of very severe measures, such as the Government might indeed resolve to have recourse to for once, if necessary, but would be very unwilling to resort to habitually, so as to keep the country under military government. And the most intelligent persons, and the most experienced I have conversed with, seem to think that nothing else will permanently secure the payment of tithes under the present system."

These, my Lords, are the sentiments of the Archbishop of Dublin, and they have been corroborated by the testimony of many clergymen of the Established Church, who were also examined before the Committee. I shall now show that those sentiments are not confined to the clergy, by reading the evidence of a layman connected, by situation and circumstances, with the Established Church in Ireland. I will quote the evidence of Mr. Grace, the Registrar of the Consistorial Court of the diocess of Ossory:—

> "You have stated that the making the composition compulsory would be a very great benefit; you have stated also that the resistance to the tithes is the same in parishes where that Act is so now executed as in parishes where it is not. In what respect do you imagine that the making it compulsory would be beneficial?—I state my opinion that it would be beneficial merely as a preparatory step towards a commutation—the one, I conceive, could not be effectually obtained without ascertaining and fixing the other.
>
> "You do not conceive it possible to come to a satisfactory arrangement by a temporary composition only, even if it were compulsory and universal?—No, I do not.
>
> "You conceive that that must be the basis of a future commutation?—Yes.
>
> "Do not you conceive that such a composition would afford a material, if not an indispensable, facility, for effecting an ulterior arrangement?—I conceive it is indispensable."

He was subsequently asked, whether such a plan would be generally approved of by the clergy, and he stated, that he believed it would be generally acceptable to them. And, further, Mr. Grace has stated his decided opinion to be, that Ireland will never be at peace until some commutation—such as an exchange of tithes for land—be effected. I have here only referred to the testimony of those two witnesses, as a sample of the evidence taken before the Committee, and which is now on your Lordships' Table. I feel that it would be quite premature, at this stage, to call upon the House to enter into details, or to adopt any particular plan. All that I call upon your Lordships now to do is, to sanction the principle adopted by your Committee in their Report. When, for the purpose of insuring and enforcing the collection of tithes, you are about to arm the Government with extraordinary powers, I ask, is it not fair and wise for your Lordships to look to what have been the effects of the system? Looking to the constantly recurring difficulties with which the collection of tithes has been attended in Ireland, aggravated, as these difficulties have been of late years, I ask, if you are satisfied that the extinction of that system is indispensable to the future peace and tranquillity of Ireland, whether you can hesitate in adopting the principle laid down in the Report of your Committee, and consenting that a great change shall be made? Your Lordships have seen that the whole machinery of the law, by which tithes are now recoverable, has become crazy and unfit for the purposes for which it was established. Attornies are not to be found to carry on the usual legal proceedings for tithes; and how can you be assured that they will hereafter be found? Even the tithe-proctors cannot be bribed in many parts of Ireland to undertake the collection; and if litigious and desperate Attornies are only to be found, and desperate and cruel proctors can only be selected, is it consistent with the peace of the country that the law should be administered by such instruments? Whether the sum due to the clergy should be raised in the nature of a rent-charge on the land, and the money paid, in the first instance, to Government, or whether a commutation should take place of the tithes for land, the Committee do not suggest. I may be allowed to observe, however, that the difficulties which suggest themselves to the latter proposition do not appear to me to be of an insurmountable character, as there are greater facilities for procuring land in lieu of tithes in Ireland, than, perhaps, exists in any other country. If your Lordships are of opinion that the commutation should be of this nature, I think the means of carrying such a commutation into effect may be found. On the other hand, if you think it wiser that the commutation should be in the nature of a rent-charge upon land, as now takes place in the case of many local and provincial taxes in Ireland, I do not conceive that such a plan presents any insurmountable difficulties; and the manner in which many other taxes are raised for local and public purposes, will afford facilities for carrying such an arrangement into effect, and raising a tax upon land in lieu of tithes. Contemplating all the evils which have occurred from the present system, it is for your Lordships to say whether you so far distrust your own power as legislators as to decide that you are not able to charge the land with a sum in lieu of tithes, or to provide in some other way for the subsistence of the 900 persons of which the parochial clergy of Ireland consists, by the adoption of a system which, if not perfect in itself, may at least be less objectionable than that which now prevails, with its crowd of civil-bill processes-tithe-proctors, appraisers, and all that complicated, expensive, and insufficient machinery, which is the frail foundation on which the Irish clergyman now depends for the receipt of his income. The mere simplification of that system would of itself be a great advantage; but if you adopt any system by which you get rid of the collision between the clergyman and his flock—always recollecting that the flock do not receive, or do not think they receive, any benefit from the services of the clergyman—it is impossible not to perceive that you will confer a great boon on the clergyman, and also on the country. I believe that if this great cause of collision was removed, from what we have seen of the conduct of the clergy in Ireland, they would be looked up to by the people with feelings of respect and attachment; and I have no doubt this would be the case, but for that perpetual grievance, as it is considered by the people, of being called upon to pay those from whom, in a spiritual sense, they receive no benefit. It is impossible for your Lordships not to see in what an independent condition the clergyman will be placed by a commutation of tithes, as compared with the mode in which he receives his income under the present system. He will be free from all the trouble and annoyance of making ten or twelve collections in the course of a year: raising one part of his income by the tithe on potatoes, another by the tithe on flax, and so on through the different articles of agricultural produce. I say, my Lords, that, by such a commutation, you will place the clergyman in a situation in which he may hope for, and will doubtless possess the respect of his flock, at the same time that you give him far better security than any he now possesses, for the means of a respectable and decent subsistence. If you carry into effect such an arrangement in my opinion, my Lords, you will have effected a most glorious work; nor will it be altogether unprecedented, for your Lordships must recollect, that, in the time of Charles 2nd, tithes in Scotland were exchanged for land. Upon all those various considerations, then, the independence and respectability of the clergy, the improvement and tranquillity of Ireland, and the laying a foundation in that country for the exertions of industry, of which no country stands more in need, your Lordships are called upon to consider this question. I am satisfied that nothing will tend more to excite and stimulate industry in Ireland than a commutation like that which has been recommended in the Report of the Committee. I know that the clergy have not received their tithes in Ireland to the extent to which they were entitled. This, I feel, I am always bound to state, that there is no evidence which can lead us to suppose that in any instance the clergyman extorted more than his due; but all the evidence goes to prove, that the clergy generally received less than what they were entitled to. All the resistance —all the evil—then, has arisen from the radical defects of the system; and the Christian temper and endurance displayed by the clergy only goes to prove how bad must be the system, which, when thus administered, has produced so much evil. The alteration of such a system, I think, will entitle the Legislature to the gratitude of the country and of posterity. My Lords, I have now done. It gives me great pleasure to be the organ of the Committee, and, as such, to have had the honour of calling your attention to a subject on which, notwithstanding the heat arising from the difference which exists on political questions, I look for the absence of all party feeling—an absence which has sometimes distinguished the consideration of such questions in this House, and which has induced the House, as I trust it will on this occasion, to look to nothing but the adoption of measures tending to promote the peace and tranquillity of Ireland. I now beg leave to move the following Resolutions:—

"That it appears to this House that in several parts of Ireland an organised and systematic opposition has been made to the payment of tithes, by which the law has been rendered unavailing; and many of the clergymen of the Established Church have been reduced to great pecuniary distress.

"That, in order to afford relief to this distress, it is expedient that his Majesty should be empowered, upon application to the Lord Lieutenant or other Chief Governor or Governors of Ireland, to direct that there be issued from the Consolidated Fund such sums as may be required for this purpose.

"That the sums so issued shall be distributed by the Lord Lieutenant or other Chief Governor or Governors of Ireland, by and with the advice of the Privy Council, in advances proportioned to the incomes of the incumbents of benefices, wherein the tithes or tithe composition lawfully due may have been withheld, according to a scale, diminishing as the incomes of such incumbents increase.

"That for the more effectual vindication of the authority of the law, and as a security for the repayment of the sums so to be advanced, his Majesty be empowered to levy, under the authority of an Act to be passed for the purpose, the amount of arrears for the tithes or tithe composition of the whole or any part of the year 1831, without prejudice to the claims of the clergy for any arrear which may be due for a longer period; reserving, in the first instance, the amount of such advances, and paying over the remaining balance to the legal claimants.

"That it is the opinion of this House that, with a view to secure both the interests of the Church and the lasting welfare of Ireland, a permanent change of system will be required; and that such a change, to be satisfactory and secure, must involve a complete extinction of tithes, including those belonging to lay impropriators, by commuting them for a charge upon land, or an exchange for, or investment in, land."

The Earl of *Wicklow* did not rise to oppose the resolutions which had just been moved, nor was it his intention to follow the noble Marquis through the vast variety of topics on which he had touched, his object was, merely to make one or two observations, with their Lordships' permission, on the present condition of Ireland. In the present awful and alarming state of the country, he owned he could see no mode more effectual for relieving the clergy of Ireland than that recommended in the Report of the Committee. He was most anxious, too, that some measure should be adopted to establish the incomes of the clergy on a more secure and less obnoxious footing. At the same time he must express his disappointment at the statement which their Lordships had just heard. He regretted that they should be called upon to adopt a report recommending the total extinction of tithes, without any specific substitute being brought forward for the payment of the clergy in lieu of tithes. He would call the Report the Act of Government, for he found the same words in the Reports of both Houses. He had already said, that he considered a recommendation for the extinction of this species of property, without any recommendation of a substitute, as a very great evil. He had expected that, in the interval which had elapsed since the Report was brought forward, some progress would have been made, and that the noble Marquis would have been able to have given their Lordships a distinct notion of the measure which Government intended to bring forward. The House, however, was only called upon to approve of the Report, and to sanction the principle propounded by his Majesty's Government. In his opinion, the Committee had not entered into the difficult part of the question. The difficult part of the question was, the establishment of a permanent system, in lieu of tithes. As Government proposed to take upon itself the collection of the arrears now due, he hoped they would so far re-consider the subject, as not to allow the law for the recovery of the arrears to be confined to the one year referred to in the Report. The clergy were totally debarred from proceeding for the recovery of the arrears by the declaration of Parliament, and there must be a new law to enforce the payment. All the clergy could hope to recover was, this one year and nothing more. Now, what he asked was, that Government should have power to carry back the system they were about to adopt, and until a new law was enacted for placing the property in tithes on a permanent basis, that, the Government should have the power to levy the whole arrears. If such a law should be introduced, during the present Session, what difficulty was there in giving this additional advantage to those whom the noble Marquis so justly eulogised. Unless this was done, the clergy would have no income until the new system was carried into execution. It was admitted that the Crown was able to enforce payments from the people with greater facilities than individuals, and it was right, therefore, that the clergy, in this instance, should be sustained by the power of the Crown, until the Legislature agreed upon a permanent measure. Whilst on this subject, he must say, that he could not help being apprehensive, that, in the end, Government would not be disposed to enforce the payment of the arrears at all. They would probably consider that it was better to commence the new system with the concord and good will of the people, to let the agitation subside, and not to enforce payment of the arrears. That such a resolution would meet the approbation of the agitators in Ireland he doubted not, but he was convinced, that such a resolution would be detrimental to the security of all property in that country, and also to the property of the Established Church in England. He hoped, also, that Government would adopt some measure to remove the feeling which existed amongst the people of Ireland, as to the views of the Government on the subject of tithes. The Archbishop of Dublin stated, in his evidence, that he had heard of a Magistrate who said, "he would rather put his hand in the fire, than take part in enforcing a claim for tithes." That was the ground of a charge against the Magistracy of Ireland; but their Lordships would recollect that the Magistrates of Ireland were placed in a very peculiar and difficult situation. Captain Graham's name had been left out of the Commission—which was substantially the same as if he had been dismissed from the Magistracy—for his conduct at Newtonbarry; and yet, in the last newspaper he (Lord Wicklow) had seen, that on the trial of a man for that transaction at the assizes for Wexford, the Judge stated, that no imputation whatever rested on the conduct of Captain Graham. He begged to observe, that he had no acquaintance with that Gentleman, but he stood up in defence of the Magistracy of Ireland against what was stated in the evidence of the Archbishop of Dublin. He knew that the Magistrates thought they had not the hearty support of Government, and were consequently afraid to act with vigour. The Archbishop stated, in substance, that he attributed much of the success which had attended the resistance to the payment of tithes to the supineness of the Magistracy and police, and that their want of energy arose from an idea entertained by them, that the Government were not favourable to the cause, they, therefore, felt a difficulty in acting with promptitude; while it appeared, also, that there were not sufficient troops, and that the troops who were there did their duty with some degree of unwillingness, and seemed, according to the testimony of some of the witnesses, to be marching with ropes round their necks. The noble Marquis had quoted to them the opinions of the Archbishop of Dublin—that these tithes could not be collected but by the bayonet. That evening he had learned, that in some parishes the display of a small degree of vigour had procured the payment of every farthing that was due. That fact showed that the most rev. Prelate's opinion was not perfectly well founded with respect to all parts of Ireland. In fact, wherever a proper degree of vigour was exhibited on the part of the Government, resistance was put down; and he would further instance the case of the parish of Tullagh, near Dublin, as a proof that, when vigour was shown on the part of the Government by the employment of the military and the police, the resistance to the tithes was effectually and at once put down. He was quite certain that if the prompt measures taken in that instance by the Government had been employed earlier, and upon a larger scale, the evil would not have grown to its present magnitude. The great question, however, now was, what was the substitute proposed for the present law? It was not now laid before them; when it was likely they should have it he did not know. The noble Marquis had insinuated, two or three times over, the modes by which it was possible such a thing would be done. The first of these was to fix a charge on the land of the country; the other plan was, that of commuting tithes for land. Against the first of these he protested, for, in the present state of the country, a more injurious system could hardly be adopted. It would set the people at variance with the landed proprietors; it would place the latter in the situation of tithe proctors. In times of peace that might not be so injurious as at the present moment; but now, when the most angry spirit was existing throughout the country, he should much deplore such an act. The other plan of commuting tithes for land was by no means so injurious. It might appear difficult at first, but the difficulties would vanish when they were met with decided resolution. Every individual who was subject to the payment of tithes held his land in the way of a mortgage, and the law might oblige the whole country to pay the mortgage, and in that way there certainly would be no insuperable difficulty in the way of obtaining a commutation for tithes. But there was another point, to which neither the noble Marquis nor the Committee had alluded—it was with respect to the church cess. That cess was as much objected to in Ireland as the tithes. He trusted that, whatever plan might be adopted, it would comprise the church cess, so that the clergy would receive the amount of that as well as of the tithes. He begged to be understood as not offering by these remarks the smallest opposition to the resolutions of the noble Marquis.

The Bishop of *London* said, that as one of the Members of the Committee from whom the Report on this subject had emanated, he felt it his duty to say a few words in reply to some observations which had fallen from the noble Earl who had just sat down. The noble Earl said, that, in point of fact, the Report was not so much the Report of the Committee as the Report of his Majesty's Government. He begged leave to contradict that assertion of the noble Earl. It was essentially the Report of the Committee. As one of the Members of that Committee, he had put his name to it, and, unimportant as that name was, he certainly would not have affixed it to the Report unless he had cordially concurred in the whole of it. There possibly might be here or there a word in it, which he might think should be altered, but, in the substance of that Report he quite concurred. He had entered the Committee with a determination to do his duty, to inquire into the system, and report only according to the evidence. It was true, as the noble Earl had said, that the substantial parts of that report had been proposed to the Committee by the Government, which was the duty of the Government; but if he could refer the noble Earl to the proceedings which had taken place in the Committee, he should be able to show him, that so far from that Report having been submitted to, and adopted by them, without any thing like discussion or deliberation, as the noble Earl had said, the contrary was the case, and that the very word to which the noble Earl had so much objected was not in the original draught of the Report, but was afterwards introduced into it, and that, too, not at the instance of a Member of his Majesty's Government. This was not the proper occasion to enter into a discussion of the remedy which should be applied to the evils, as far as tithes were concerned, which afflicted the unfortunate country to which the Report of the Committee had reference. The noble Lord said, that the Report was not specific, and that it suggested no precise or particular remedy for the evils in question. As he viewed it, a precise remedy was offered, as far as the discussion of the subject at present could go. That remedy was, either to transfer the payment of tithes from the occupier of the land to the landowners, by making them a rent-charge upon the land, or to commute them for land to be purchased or given in exchange for them. It was not to be denied, that the project was a difficult one, but he could not see how it involved any principle of unfairness or injustice towards the landlords of Ireland. The landowner had no right to complain that he had to pay for the religious instruction of the country, for he inherited his property under such a condition, and he felt quite assured, that their Lordships, in extinguishing tithes, would not transfer to the landowners that to which, neither under the laws of the country nor the conditions of the hereditary succession of their properties, they were entitled.

Lord *Ellenborough* was greatly surprised that the right reverend Prelate had not alluded, in the course of his observations, to that part of the noble Marquis's speech in which he had designated tithes as a tax. He remembered very well, some years ago, having heard a similar statement made once before by that noble Marquis; and he also recollected the correction which he then received from the noble Earl (Eldon) then on the Woolsack, who told the noble Marquis, that when a purchaser of land became the proprietor of it, he became, in fact and in law, the proprietor of only nine-tenths of it. That was a circumstance which their Lordships should always bear in mind in discussions of this kind. As regarded the question before the House, he (Lord Ellenborough), still thought, as he had expressed himself when the noble Marquis moved the appointment of the Committee, that his Majesty's Ministers ought, on their own ministerial authority, to have brought forward Resolutions, without any report or inquiry. It was indeed rather remarkable that the Report which the Committee had laid upon their Lordships' Table completely overthrew all the grounds on which it was granted. In the first place, when the noble Viscount moved for the Committee, he said, that if there was evidence of an undoubted organized system in Ireland to resist the payment of tithes, he would not have thought of calling for it. Now, the evidence distinctly proved, that, for a long time past, an organised system to resist the payment of tithes did exist in Ireland; and if such a system did actually prevail, it was all but impossible that Government was ignorant of it. The noble Marquis had argued, on the evidence of one of the witnesses examined by the Committee, in favour of the expediency of rendering the Composition Act compulsory. Unquestionably, the evidence of one of the witnesses had recommended such an enactment, but when the entire mass of the evidence was considered, it appeared that the resistance prevailed as much in those districts where composition was in force as in those in which it had not been introduced. The resistance was not to the mode of collecting the tithe: it was raised to the abstract principle. It might be recollected, that he had submitted this view of the subject to their Lordships when the Committee was proposed, and it had been amply substantiated by the evidence which had been examined. As to the proposed plan for remunerating the clergy of Ireland, by grants of the public money, he intreated their Lordships to pause before they adopted it, for it was impossible to say how soon they might be called upon to adopt the same course with respect to the clergy of England. If the principle of remunerating the clergy from the public funds in all cases where the payment of tithes was resisted, was established, there was no possibility of stating to what extent that resistance might proceed. He had expected that the Resolutions which the noble Marquis would propose, would tend to redeem the pledge which the noble Earl at the head of his Majesty's Government had given, namely, that before their Lordships should be called upon to legislate on the subject, the authority of the law should be vindicated; but he was much surprised at not hearing, throughout the whole of the noble Marquis's speech, one word which could be construed into the redemption of that pledge. He thought the vindication of the authority of the law would have been put forward as a justification of the extraordinary measure which was about to be proposed; but in this expectation he was disappointed, and he could not avoid expressing his regret that it had not been placed in the foreground of the noble Marquis's address. He begged to remind their Lordships that they were then called upon to sanction a measure which, in all former times, and amid all kinds of disturbance, had not been deemed requisite. It was, indeed, a novel proposal to call upon Government to act the part of tithe-collectors. Even after the rebellion in 1798, when the tithe system was found particularly obnoxious, such a call had not been made on the Government of the country. Now, was it not of some importance to consider to what this state of things was owing? Of course, he did not mean to attribute its origin to the present Government, but it was rather singular, and deserved to be mentioned, that the state of things which called for such an extraordinary measure had grown up since the Administration of the noble Lords opposite. In every page of the evidence, it was shown that the combination to resist the payment of tithes commenced about ten days after those noble Lords had seated themselves on the Treasury Bench. It was said, that Government had no information on the subject of this combination. He really felt much difficulty in reconciling this statement with the evidence given before the Committee. Could they have been ignorant that, in the month of March, 1831, in one particular parish in Ireland, although the legal authorities were backed by a strong force, such was the effect of the combination, that not more than one-third of the tithe could be collected? They must have been cognizant of that circumstance. Ministers must have been as fully aware of the inadequacy of the law last April as they were at the present moment; and it appeared that, between the latter month and June, they had received information which ought to have induced them to have brought some measure before Parliament; and yet nothing was done. Ministers could not have been ignorant of the then state of Ireland; if they did not see the ordinary reports of what was passing in that country, could there have been any difficulty in collecting distinct reports from the magistracy of the country, or from the Superintendents of Police in all those districts where the disturbances prevailed? This information they were, or ought to have been, in possession of: and they ought to have come to Parliament for the purpose of obtaining legislative interference on behalf of those whose property was assailed. It appeared, too, that so far back as this time twelvemonth, a degree of resistance had been manifested in different parts of Ireland, which called upon the Government at once to come forward with some measure to put an end to it. So long since as July last, the Government knew that there was an opinion prevailing among the people of Ireland—a groundless idea, undoubtedly—that his Majesty's Government were inclined to put down tithes, and that they did not seem entirely to disapprove of the resistance which was made to the payment of them. That fact was distinctly brought to the notice of his Majesty's Government more than once; and so late as November last, it appeared that the clergy of the diocese of Armagh, who had previously presented a memorial to the Lord Lieutenant of Ireland, to which a satisfactory answer had been given, expressed their opinion to the noble Marquis at the head of the Irish Government, that if he would make known, by proclamation, merely what he had said in answer to their memorial, it would have a most tranquillizing and beneficial effect. He was astonished that such a request was not complied with—he was really astonished that when his Majesty's Government knew the mistaken notion entertained by the people of Ireland as to tithes, and as to the disposition of the Government, that, in order to undeceive the people, they did not adopt so wise a course as that of declaring, by proclamation, what was the state of the law, and of expressing their determination to carry its provisions into full effect. With respect to the measures actually taken by Government to suppress the resistance made to the payment of tithes, none were adopted which had any beneficial effect, notwithstanding the subject was constantly urged upon their attention: and it was not until the 7th of February, of this year, that the noble Earl, for the first time, bestirred himself, when he came down to this House, and, in very emphatic language, and in a most statesmanlike manner, declared that it was necessary, in the first instance, to vindicate the law, and then to take into consideration what measures were proper to be adopted, to prevent the recurrence of those disturbances which made such interference on the part of the Government necessary. With respect to the Resolutions proposed by the noble Marquis, he could only state that, as far as they went to vindicate the authority of the law, they had his entire concurrence; but he had ample evidence for saying, that if ministers had complied with the earnest calls made upon them, and had, at an earlier period, come down to Parliament for additional powers to enforce the law, many of those scenes of agitation which had occurred in Ireland would never have taken place, and that country might now have been in a state of comparative tranquillity; at any rate, their Lordships would not now have been called upon to do what was unparalleled in the history of legislation, namely, to make the Executive Government the tithe-collector of Ireland. He confessed, he was greatly surprised to hear the third Resolution which had been proposed. He certainly had expected that the Resolutions would have gone merely to declare the determination to vindicate the authority of the law; or otherwise, that the noble Marquis would have proposed a plan for affording some relief to the clergy of Ireland; but the present Resolutions, so far as they were prospective, took him by surprise. He could not think that the noble Marquis would comprise in his Resolutions that part of the Report of the Committee which related to a prospective remedy. Neither Government nor the Committee itself, had come to any conclusion upon that part of the subject; for they were still proceeding to take evidence in reference to it. It seemed to him, therefore, premature for Parliament to be called upon to pledge itself upon the subject; that was to say, upon one of two propositions which might possibly be hereafter submitted to them. The noble Marquis stated, that he had no doubt Government would present to Parliament some measure for effecting that object; but he was not prepared to join in giving a formal and distinct pledge upon a subject of the greatest possible importance, merely because he might happen to entertain a high opinion of the fertile invention of the members of Government. It was, therefore, with reluctance that he allowed these Resolutions to pass.

The Marquis of *Lansdown* said, that if the noble Baron had attended to his speech he would not have accused him of having termed tithes a tax and not a property. If he had applied the term "tax" to tithes, it was merely for the purpose of contrasting them with other property which did not come under that head. The noble Baron had also accused him of omitting to speak of vindicating the authority of the law. Such was not the case. He had, in the first place, in the course of his speech, distinctly stated, that it became both Government and Parliament to vindicate the authority of the law; and, in the second place, the necessity of such a vindication formed a part of the Resolutions he had proposed. If speaking in favour of and founding a Motion upon the necessity of vindicating the authority of the law, was not to be considered a redemption of the pledge which his noble friend had given, he knew not what was to be so considered.

Lord *Ellenborough* admitted, that the words "vindicate the authority of the law," were mentioned in the Resolution, and had been mentioned in the speech of the noble Marquis; but he contended, that this should have been placed in a most conspicuous manner, indeed in the foreground of the Resolutions, and that it should have been offered by the noble Marquis as the best argument and sole justification of the extraordinary measure which he was about to propose. As to the noble Marquis's denial of having applied the term tax to tithes, he would only state, that it had been used throughout the noble Marquis's speech.

Viscount *Melbourne* wished to say a few words in consequence of the observations which had been made by the noble Lord (Lord Ellenborough), and which, though they appeared to him to be of no weight, should not go without an answer. Undoubtedly it was the duty of the Government to bring forward measures on its responsibility when they were required; but then there were occasions of such paramount importance, and this was one of them, upon which it was the duty of the Government to fortify itself by inquiry, and by the authority of a Committee. If they had nothing more in view than to vindicate the authority of the law and to enforce the rights of the clergy in Ireland, he should say, that these were measures which it was the duty of Government to effect upon its own responsibility; but when it was considered that ulterior measures of a much more important nature were contemplated, when it was asserted, that they were imperatively necessary, when not the mere recovery of arrears of tithes only, but the actual existence of tithes themselves as a means of providing for the clergy was the subject to be dealt with, he did say, that question was of such magnitude, that it ought to be submitted to a Committee, to decide what measures should be taken, and it was necessary that Ministers should have their own opinions corroborated by the examination of witnesses before they produced whatever plans it might be proper to adopt. The noble Lord had been pleased to say, that the evidence taken before the Committee had shewn the previous opinions held by Government to be ill-founded. If that was really the case, it was one proof they had decided right when a Committee was appointed, as the result had enlightened their minds by the information they had obtained. The noble Lord further said, that the Government should have taken earlier measures to put down the resistance to the payment of tithes in Ireland, and that knowing of the existence of that resistance, it should have come down to that House at a much earlier period with measures of this description.

Lord *Ellenborough* did not recollect to have made any such statement. What he had said, was, that if Ministers, instead of deferring to bring before Parliament the consideration of the question until summary measures were absolutely necessary, had come down when the evidence of a combination to resist the collection of tithes was before them, a much weaker measure, indeed weaker than that which was enacted after the Rebellion of 1798, would have answered, instead of the extreme measure which they then found themselves under the necessity of demanding.

Viscount *Melbourne* had a perfect recollection of the noble Baron's having said, that within ten days after their accession to office the combination had commenced. But the very shortness of the time stated, was a sufficient proof they had had nothing to do with it. The seeds of resistance must have been scattered abroad long before they came into office. This was a conclusion in which the noble Lord himself must coincide, though the Ministers were not justified in making that resistance the ground of any extraordinary measures until they had clearly and fully ascertained, that the ordinary means afforded by the law to secure the collection of tithes were insufficient for that purpose. If Government had done so, he very much questioned whether they would have received the support of the noble Baron. It was said, that the remedial measure to be substituted for the abolition of tithes was not sufficiently distinct and defined. With respect to this, he had only to say, that the principle of that remedial measure was perfectly distinct and defined.

Lord *Ellenborough.*—What is it?

Viscount *Melbourne.*—That henceforth the payment of the clergy should be provided out of the land itself, or a charge upon the land. This was the principle, and it was distinctly laid down. The machinery by which it was intended to carry this principle into operation unquestionably was not declared, nor did he think it would have been fitting to have declared it until the principle was agreed to. As he did not perceive much likelihood of opposition to the Resolution, he would not trouble the House with further observations.

The Duke of *Wellington* entirely concurred with the noble Viscount in thinking that the House had derived some advantage from the appointment of the Select Committee. He regretted much that he had not been so fortunate as to have attended that Committee, for he thought he should have addressed their Lordships on the present occasion with much more confidence, knowing, as he did, the importance of their Lordships' decision on the Motion before them, not only as it referred to the Church of Ireland, but of England, if he had had the advantage of hearing the opinions of those distinguished Prelates who had given their evidence before the Committee. Had he heard that evidence he should, perhaps, have been better able to judge whether there was aught in the proposed plan, likely to affect or injure their interests. However, as he had heard the right rev. Prelate (the Bishop of London) who had just declared his approbation of the proposed plan, which approbation was not dissented from by any of the right rev. Prelates who sat near him; he conceived that the measure proposed, as far as it went, did meet with their approbation, and consequently, that the House might proceed with confidence to take it into consideration, as being approved of by them. He likewise conceived that the Report of the Committee laid open to their Lordships, not only the state of distress of the clergy of Ireland, which was so well described by the noble Marquis, and the extent to which the combination prevailed, but likewise the unanimous opinion of the Committee as to its origin. The noble Marquis in his speech had said, (and he, the Duke of Wellington, begged to remark, that in so saying, the noble Marquis had only done justice to the individuals to whom he alluded), that the organized combination to resist the collection of tithes was not attributable to the clergy of Ireland, nor was it attributable to the non-compulsive principle of the Composition Act. He (the Duke of Wellington) would tell their Lordships to what source the existing state of things in Ireland was to be attributed. It was to the system of agitation established there by persons who never would let it be quiet as long as the noble Lord opposite would permit them to continue that agitation. It was idle to hope that any relief from the payment of tithes would tranquillize Ireland. Their Lordships might rest satisfied, that disturbance and agitation would be carried on even after the passing of the present measure, unless means were taken effectually to put an end to that plan of organized agitation which was openly avowed to exist among a certain class of the people. He had hoped that means would have been taken to put an end to this system, as well as to the system of tithes, and indeed it was as much if not more required. What did the Report of their Lordships' Committee clearly show? Why, that the property in tithes was nearly annihilated in Ireland, and that the system of agitation which prevailed there had almost totally destroyed the prosperity of that highly-favoured country. As to the subject then under consideration, he thought it was essentially necessary that measures should be adopted for vindicating the law. That ought to be a primary consideration. There was one point to which he felt anxious to direct attention. From the evidence taken before the Committee, it appeared, that, in some instances the clergymen in parishes in which the Composition Act was in force, had found it impossible to collect their tithes for several years. It was admitted that the Government had greater advantages in recovering tithes than the clergy; and he therefore regretted, that their attempts should be limited to recovering the arrears for the year 1831. He begged to ask, whether the Government had not some sympathy for those unfortunate clergymen who lost their property, not only in the year 1831, but also for a great part of the year 1829, and the whole of the year 1830? He wished to know, whether there were not some suggestions made in the course of the examinations before the Committee, which might with propriety, be adopted to enable the clergy, whether their livings were under the influence of the Tithe Composition Act or not, to recover their arrears, even if it should not be thought proper for Government to recover them? This was not the only omission which characterized that part of the measure. He should have wished that the noble Marquis had been a little more explicit with regard to the expense of recovering these tithes by means of the Officers of the Government. It surely could not be intended, first of all, that the clergyman should lose his property for two or three years; then, that he should be paid a small proportion only of that property; and lastly, that he should be called upon to discharge the full expenses incurred by Government in recovering for him that part. But he confessed, that, although he was disposed to support Government in many, if not in all, of the plans which they proposed to adopt on this subject, he certainly felt great objection to the last Resolution. The only distinct proposition contained in that Resolution was, the principle that an extinction of tithes in Ireland was desirable. It was true that the Resolution stated, that it was intended to provide for the clergy by some other mode. But how was this to be done? The noble Marquis said, either by imposing upon the landlord a rent-charge, or else by purchasing land in lieu of tithes. But he wished to be informed, whether there was no injustice in fixing upon the landlord the payment of the tithe? Was it quite clear, that he would be able to recover his tithe from the occupier of the land from whom the payment was now due? Or was it quite clear, that although he might be able, that he would be inclined to exercise his power? Was it right or fair to impose upon the landlord the obligation of making this payment, without insuring to him the means of repayment. He understood perfectly the right of Parliament to force him to make this payment upon all future bargains for leases of land; but when Parliament imposed upon a landlord who had leased out all his property to individuals, the payment of the tithes due from those individuals, and left him to recover the repayment from his tenants as he could, it imposed upon him a most grievous hardship; for it might possibly happen that the tenantry might be unable, or might refuse to pay the tithe, and then the landlord could only indemnify himself by the vexatious and dilatory process of the law. The other plan suggested, was the purchase of land. To that he did not see much objection, provided it met with the approbation of the right rev. Prelates. But the consequence growing out of that system would be, that the Government must continue to collect the tithes of the clergy. Either the Government must continue to collect them, or throw the collection upon the landlord; and in either way it was involved in considerable difficulty. This would be the case, even, as applied to this country; but when such a system was adopted in Ireland, where there existed between the landlord and the occupier of the soil, two, three, or four intermediate tenants, or middle-men, the difficulty would become so great as to amount almost to an impossibility. This was not his opinion only, for, if their Lordships would refer to the evidence given before the Committee, they would observe, that the same sentiments were expressed in several places. He should have been better pleased if the last Resolution had not been proposed until the Committee and the Government, were prepared with a detailed plan to carry the extinction of tithes in Ireland into execution. He should have preferred had the House not been called upon at present to vote upon that Resolution, for he felt they were going to hold forth to the people of Ireland the notion, that a system of relief was about to be adopted, which they would hereafter find it impossible to carry into execution. They might go as far as the first part of the Resolution. He thought they could enforce, in every instance, an arrangement under the Composition Act; but if they endeavoured to go further without a matured plan for carrying it into effect, it would only afford fresh ground for agitation, and for the dissemination of that spirit of dissatisfaction and discord to which he had already alluded. Under these circumstances, although he certainly meant to support the Government in all those measures which, under the particular circumstances in which Ireland was placed, were imperatively called for, he should wish that their Lordships should not be required to vote on the last Resolution.

Lord *Teynham* said, he had very great objections to that part of the plan which made Government the collectors of tithes; for, if the Executive were once to enter on such a task, they must go on with it. It was easy for the noble Duke to say that the law must be enforced, and, in ordinary cases, it was generally not difficult to enforce it; but, when a whole nation rose up against it, the case was different—it then fell to the ground, and the vindication of the law could only be effected by conquest. A right reverend Prelate, who had given evidence before the Committee, declared, that by a military force only could tithes be collected: if so, those Resolutions were something like declaring war against the people of Ireland. He entreated their Lordships to pause before they consented to Resolutions having such a character. He would readily allow that the general principle of tithes was most objectionable—it operated injuriously on the landlord, and all persons engaged in agriculture; it frequently prevented capital being employed in the cultivation of the soil, and thereby restricted the employment of labourers. He therefore, had no objection to the extinction of tithes in Ireland, upon principle, although he wished fully to understand what provision was to be made for the clergy, before their incomes were to be taken from them. He agreed with the noble Duke that Government ought to give a more definite plan of what they would substitute in the place of tithes; for, undoubtedly, the opposition to the existing system was spreading in all directions throughout Ireland.

The Earl of *Eldon* said, that when a measure was brought forward which went directly to the annihilation of Church property, and when they were not even told, by those who brought such a measure forward, what they would substitute for that property, he was very much disappointed not to see a single Member of the right reverend Bench rise to defend the interests of the Church, now so vitally at stake, and to protest against a measure of such a description as the present. There was no argument which applied to the extinction of Church property in Ireland but what was equally cogent for the same purpose, if directed against Church property in England. He thanked his God, however, that he should not be amongst either the ecclesiastical or the lay supporters of this Motion; that he would not give his assent (his opposition, he saw, would be useless) to a measure which went to deprive the Ministers of the united Church of England and Ireland of that which constituted their entire support, and to which they had as much right as there existed to any lay property in any part of England. It was perfectly absurd to suppose that what would take place in Ireland in this instance would not be sure afterwards to take place in England also. His long life had been thrown away in supporting the interests of the united Church of this empire, if those to whom the interests of that Church were intrusted did not come forward to protect them, when a measure was proposed which extinguished Church property, unaccompanied by a plan providing a substitute for it. He so entirely despaired of support for the Church of Ireland from that quarter from which it should be expected, and to whose support it was entitled, that he begged to intimate to their Lordships that the humble individual who now addressed them would give them no further trouble on this subject.

The Archbishop of *Canterbury* had always felt the obligations which the Church of England was under to the noble and learned Lord who had just addressed the House. He was obliged to him for the defence of the interests of the Church which he had that evening made, although he must say, that, in the conclusion of his speech, the noble and learned Lord had made an attack upon the representatives of the Church which was utterly unfounded. The noble and learned Lord asserted, almost in direct terms, that, because the Bishops had not opposed the Resolutions which had been submitted to the House by the noble Marquis, the President of the Council, they must be considered to have abandoned the interests of the Church. If their Lordships would bear with him for a short time, he would very briefly state what had been his view of the subject, as well as the motives which had influenced his conduct upon it. He perfectly agreed with the noble Duke who spoke before the noble and learned Earl, that the immediate cause of the resistance in Ireland to the payment of tithes, at the present moment, was to be found in a well-organized combination, supported from various quarters. That combined system of resistance the Government had exerted itself to put down; but the existing laws of the country were not found to be sufficient to enable it to do so. It became necessary, then, that other laws should be made, or, at least, that some new regulations should be adopted, to prevent a continuance of the mischievous consequences which resulted from the opposition to the existing tithe system. With that view a Committee was appointed, who were to institute inquiries into the subject, and report upon it. It appeared, from the Report of that Committee, that the existing mode of collecting the tithes in Ireland was a great grievance. For, although not more than half of the tithes collected reached the clergy, yet the mode of collection was vexatious and harassing in the extreme to the tithe-payer. Perhaps one cause of the existing evil was, the difficulty which stood in the way of enforcing the law with respect to the recovery of tithes; for it was well known that where there was a certain and speedy mode of recovering any just demand, there it was not probable that the payment of it would be resisted. He apprehended, from all the evidence which had been taken before the Committee, that the Tithe Composition Act had been received as a great benefit by the people of Ireland generally, not only on account of the relief which it afforded from the tithe proctors, but also because it compelled a more equal distribution of tithe than had previously existed. Although some resistance had been made to it by some of the landed proprietors, yet it appeared to have been received as a great benefit, and to have had a very soothing effect on the peasantry of Ireland. It appeared, in fact, that, in every parish in which a composition of tithe took place, tranquillity and harmony had prevailed. He need not say the reverse was the case in parishes where a composition had not been entered into. He could not bring himself to speak of the conduct of many of those from whom a different course might have been peculiarly expected, but who had contributed to prevent the beneficial effects of that Act. It was clear that the Composition Act would have answered every purpose for which it was framed, if it had been universally adopted throughout Ireland. The state to which it appeared that many of the clergy of the Established Church in Ireland had been reduced was almost beyond expression. Many who depended solely on the emoluments of their livings had been reduced to want the absolute necessaries of life. Many had been obliged to part with their household goods, and were left in a condition of utter destitution. It was true, that some had been relieved by the kindness of friends, and that others had been enabled to raise money on the hope of recovering at least a portion of the proceeds of their respective benefices; but, in general, their condition was lamentable. He certainly wished that a greater measure of relief could have been dealt to them, than that which was proposed by the Committee; but, under all the circumstances, he was satisfied with their receiving one year's amount of tithe from the hands of Government, although he was afraid the clergy would find infinite difficulty in recovering any further part of the arrears due to them. Thence came the Resolutions which the noble Marquis had moved. With respect to the third of them—against which so much had been said by the noble Lords on the opposite side of the House, and for supporting which, he and his right reverend brethren had been so severely reproached—all he could say was, that he considered it fully warranted by the necessity of the case. It was an acknowledged fact that, in times of disturbance in Ireland, the first object of attack was the revenue of the Church—the payment of the tithe was invariably resisted. It occurred to him, then, that, by placing the property of the Church on a more secure footing, Parliament would be conferring a very great benefit, not only on the Church, but on the people of Ireland. To effect that, the first thing that he would do was, the first thing these resolutions proposed to do—viz., to introduce some measure which should make the composition for tithe universal. Three-fifths of the country had acceded to the Tithe Composition Act, and he wished that the other two-fifths should be placed in a similar situation. If this were done, both the clergy and the people would find themselves in a much better situation than they were at present. That ought to be the first step, and a most desirable one it would be. There would afterwards be no difficulty, or very little difficulty, in taking into consideration whether the clergy should be permanently provided for by a charge on land, or in any other manner which might appear most desirable. By pursuing this course, he hoped they would be able to secure the peace and tranquillity of the country. While he made these observations, he must be allowed to state that he would never consent to give up the property of the Church. He should always assert and maintain his conviction, that the Church had as much right to its property as any other body of men in the country had a right to their property; but if the mode of obtaining that property was found to be generally inconvenient, both to the people and to the Church itself, and if a full compensation were made for it, he really could not see how he was betraying the interest of the Church, which it had been stated it was his peculiar duty to defend in consenting to such a measure. He should not hesitate, therefore, to support the Resolutions which had been moved. It was not his intention to have said a single word upon the subject that evening, but having been alluded to so pointedly by the noble and learned Earl, to whose opinions upon such matters he had always been disposed to bow with respect, he felt himself called upon to offer a few observations in the way of explanation.

The Earl of *Caledon* said, he felt called upon as a Member of the Committee to declare that, whatever the merits or demerits of the Report might be, they belonged to the Committee alone. They were wholly uninfluenced in their decision by his Majesty's Ministers.

The Earl of *Wicklow* observed, that a large proportion of the Members of the Committee were the friends of his Majesty's Government, and he must be permitted to remark, as a strange circumstance, that the term "extinction of tithes" was to be found in the Reports of the Committees of both Houses. He also wished for some explanation as to the insinuation which had been thrown out by the most reverend Prelate with respect to the conduct of the clergy of Ireland with reference to the Composition Act.

Tne Earl of *Caledon* said, that the introduction of the word "extinction" in the Report of their Lordships' Committee, had been proposed by the Earl of Harrowby.

The Earl of *Aberdeen* observed, that the last resolution said too little and too much. Their Lordships' attention was directed to a commutation of tithes, founded on two plans, but no Member of the Committee had stated that they had come to a decision on either of these plans. He should be glad to know what plan the noble Marquis meant to propose? It would have been whimsical enough if the noble Marquis had called on the House to pledge itself to either of these two plans; but it was more whimsical when it was not demanded of them to support either the one or the other, to come down and request their Lordships to pledge themselves, without delay, to the extinction of tithes, on one of two principles, neither of which the Government themselves had declared that they had adopted. Might there not, he would ask, arise a third plan in the course of the discussion which was yet going on in the Committee? And if that happened to be the case, the effect of the present vote would be neither more nor less than to stultify the House with reference to its future proceedings on this question.

The Archbishop of *Canterbury*, in reference to what had fallen from a noble Earl, disclaimed throwing any imputation on the clergy of the Established Church in Ireland, as having been instrumental in getting up a conspiracy against the Composition Act.

The Marquis of *Lansdown* said, it was impossible for any individual to think that any observation which had fallen from the most reverend Prelate conveyed, or could convey, the idea that the resistance to tithes originated in the conduct of the clergy of the Established Church. It had been asserted in the course of the discussion that these resolutions ought to be considered as merely emanating from the King's Government, and not as the work of the Committee. The fact, however, was otherwise. The Committee was not partially selected, but was composed of individuals who held a variety of opinions. It ought particularly to be observed, that the proposition for the abolition of tithes did not originate with the Government, but came from a noble Earl who was not in the Administration. The noble Duke had said, that to throw the burthen of providing for the clergy on the land would be exceedingly unjust. He agreed in the abstract proposition. It would, he admitted, be unjust, unless that measure were accompanied by some arrangement that would satisfy, as much as possible, the landed proprietor. The collection of the tithe in Ireland had always been the great point of difficulty; and if they could induce persons to undertake the collection of what was necessary for the clergy—if they could induce individuals to come forward, who might collect it in safety, and without any injustice to the clergy—he conceived that they would effect a great and most beneficial object. If they could throw that duty on the landlord, by undertaking that he should derive a considerable advantage from the collection, and that at the same time the clergy should be fairly provided for, he thought that the evils of the present system would be avoided. The Committee then took into their consideration what prospect there was of attaining this end by commutation, for by commutation only could it be effected. Now he would say to the noble Duke, that if it were not for the demand made by the country, and which grew out of its present lamentable situation, he would be the last man in the House to call on their Lordships to state their opinion or to interfere with this question. But when imperious circumstances called for the expression of their opinion, it was their duty to state it, however harshly it might be received, or however unfairly represented. The great object of Ministers was not merely to extinguish tithe, but to prevent, in future, that direct collision between the tithe-payer and the clergyman which had produced so much evil. He was anxious that there should appear on the part of the House a determination to take up this question with a view to an equitable accommodation, not resting on the two plans to which the noble Earl had alluded, and, as he had said, leaving their Lordships to be stultified by the occurrence of a third. No; he wished that accommodation to be proposed, after looking with care and assiduity to all the various modes in which the amount and value of tithes could be taken from the land; and, let it not be forgotten, that from the land, and from the land only, it could be taken. He thought that the noble Earl would himself admit, that the individual must be completely stultified who would look to any resource beyond the land for the necessary provision. This was the principle on which the Report of the Committee proceeded. The noble Earl had censured the Committee for not having adopted one of the plans to which he had referred. Now he took no shame to himself that the Committee had not yet been able to come to a decision on these important points. Most rash would it have been on the part of that Committee, if, before they had closed their labours, they had come down and asked of their Lordships to give a preference to one of those plans. All they had wished to do was, to state their opinion that the burthen should be placed on the land, for the purpose of preventing that collision between the clergyman and the tithe-payer, which was unavoidable at present, and which every one of their Lordships must deeply lament.

The Duke of *Wellington* assured the noble Marquis that he did not mean to oppose the commutation of tithe, if it could be shown that such a measure could be adopted with advantage to the parties chiefly interested, but he had yet seen no proof that such an object could be obtained by either of the plans proposed.

Resolutions then agreed to.

The following Protest was entered against the last Resolution for the extinction of Tithes in Ireland :—

"Dissentient.—Because no sufficient security is given in that Resolution, nor was any sufficient explanation given in debate by any Spiritual or Temporal Lord, to satisfy our minds that, when the House was called upon to sanction the extinction of Tithes, any safe or adequate substitute would be provided for the clergy in their stead.

Kenyon.
Ernest.
H. Exeter.
Cholmondeley.
Redesdale.
Lorton.
Gascoyne Salisbury."

HOUSE OF COMMONS,

Thursday, March 8, 1832.

Minutes.] New Member sworn. Thomas Francis Kennedy, Esq., for the Ayr District of Boroughs.

Bills. Read a third time; Army and Marine; Mutiny.

Returns ordered. On the Motion of Sir James Graham, Copy of a Letter from the Secretary of the Admiralty to the Navy Board, and the Answer thereto respecting the State of the Store Ledgers, and from the same to the same, with the Answer also relating to the Number of Officers and Men discharged and entered in the Dock Yards during the years 1830, and 1831. Report from Vice Admiral Sir Pulteney Malcolm, to the Admiralty respecting the Packet Establishment at Falmouth:—On the Motion of Lord John Russell, of the Population, Assessed Taxes, &c.; of certain Boroughs mentioned in the Boundary Reports:—On the Motion of Mr. Henry Grattan, Account of all Monies Received and Expended, relating to Charlton's Charity (Ireland); and of the different suits instituted by the Commissioners of Charitable donations in Ireland, with all the particulars connected therewith:—On the Motion of Sir John Newport, of the Value of Personal Property in Ireland, passing under Probate, and Letters of Administration, during the Five years, ending the 5th of January last.

Petitions presented. By Mr. Horatio Ross, from Persons connected with the Spinning Mills at Arbroath; from the Inhabitants of Dundee; and from the Proprietors of Flax Spinning Mills at the same place:—By Mr. Watson, from the Inhabitants of Canterbury, in favour of the Bill to Regulate the Labour of Children employed in Factories:—By Mr. Thicknesse, from the Owners of Spinning and Weaving Mills at Wigan:—By Mr. John Thomas Hope, from the Flax Spinners and Manufacturers of Linen Goods, Cupar; and by Mr. Mayhew, from the Inhabitants of Coggeshall, against the above Bill:—By Mr. Leake, from the Corporation and Inhabitants of Poole, against the Division of Counties Bill:—By Sir John Burke, from the Guild of Plasterers, Galway, for the Repeal or Modification of the Stamp duty on the admission of Freemen to Corporations:—By Colonel Davies, from the Medical Society of Worcestershire, for the removal of Impediments to the Cultivation of the Science of Anatomy:—By Mr. Horatio Ross, from the Inhabitants of Arbroath, for the Repeal of the duty on Soap:—By Mr. Welby, from the Freeholders and Inhabitants of Grantham, against the General Registry Bill:—By Mr. Henry Grattan, from the Inhabitants of the United Parishes of Skreen, Rathfigh, Ardeath, Dunsane, Killeen, Kilmission, and Ballinrobe, against the Tithe System (Ireland):—By Captain Jones, and Mr. Lester, from the Inhabitants of Bonevar and Wimborne, against the proposed plan of Education for Ireland:—By Captain Jones, from the Magistrates of the City and County of Londonderry, Complaining of the Fees charged upon the renewal of their Commissions:—By Mr. Wilkes, from the Members of the Royal Britons Friendly Society, Newport, Isle of Wight, and the Friendly Society of Operatives meeting at the Hole-in-the-Wall, Fleet-street, to amend the Act relating to Friendly Societies:—By Sir John Newport, from the Chamber of Commerce, Waterford, for the better Regulation of the Baking Trade in Ireland.

Duty on Hemp—Petition.] Mr. *Horatio Ross* said, that he held in his hand a petition very numerously signed by merchants and shipowners of Arbroath, to which he begged to call the attention of the House. The prayer of the petition was, that the present high duty on hemp might be taken off. He was quite aware that this was a subject not very interesting to many Members of that House, but to his constituents it was one of the most vital importance; and he therefore trusted that he should be pardoned if he said a few words in support of the prayer of the petition. He felt confident that the House would agree with him in thinking that the request of the petitioners was a just and a fair one. In the first place, the population of that part of Scotland was almost entirely employed in the manufacture of goods made of hemp and flax. The exportation of these goods to foreign countries was the only export trade which they possessed, and it certainly appeared reasonable that, as they had to compete with foreigners, every indulgence ought to be granted to them, and the raw material of which they manufactured their goods brought as near as possible to the prices on the continent. The principal markets for fabrics made of hemp were St. Domingo, Spain, and North and South America; but to these markets the foreign manufacturers had the same access as our manufacturers. How, then, could it be expected that the British manufacturer could compete with the foreign, if, in addition to the expense of freight to this country, they were obliged to pay a duty of 4*l.* 13*s.* 4*d.* a ton, which was as near as possible, twenty per cent on the original price, whilst the foreigners had the raw material free of all duty, without any expense of carriage, and when, in addition to these advantages, they obtained labour at much less expense? He did not mean to go the length of saying that the former Government gave any decided pledge that the duty was to be taken off this year, yet he maintained, and there were many Members in that House who could bear him out in the assertion, that there was a distinct understanding that the manufacturers were to receive this relief at the period when the bounties on the exportation of linens ceased. For eighty years past this trade had been encouraged by these bounties, varying from fifteen to twenty-five per cent, and it now formed one of the most important branches of the trade of the country. In 1825, a gradual reduction of these bounties commenced, and it was settled that they were altogether to cease on the 5th of January last. In 1825 the Scotch manufacturers petitioned that the whole duty might be taken off hemp, and their petition was to a certain extent granted, as the duty was reduced from 9*l.* 6*s.* 8*d.* to 4*l.* 13*s.* 4*d.* per ton, and on flax from 8*s.* 4*d.* to 1*s.* 8*d.* per ton; and it was then, as he before stated, distinctly understood that the remainder of this duty was to be taken off at the period the bounties ceased. These bounties had ceased, but the duty on hemp was still retained. He therefore thought that the petitioners would have some ground to complain that good faith was not kept with them, unless they obtained the relief they prayed for. Besides the great and principal advantage this country would derive from taking off this duty,—viz. being enabled to retain that trade which we had established at such an enormous expense,—important benefits would be conferred on many classes of the community. In the first place, the shipping interest would be very much benefited by being enabled to purchase their cordage at home, at comparatively low prices, instead of supplying themselves at foreign ports, or carrying out Russian cordage from the London bonded warehouses, to the manifest injury of the operatives and tradespeople of this country. In the second place, it would be a great boon to our manufacturers; for hemp and flax might be used in many instances for the same purposes; but as the duty on hemp was 4*l.* 13*s.* 4*d.*, and that on flax only 1*s.* 8*d.* per ton, manufacturers, of course, preferred the latter; but were it not for the enormous difference of the duty, they would make use of hemp in common with flax. The effect of this would be, to keep the price of both articles much steadier, and prevent those sudden fluctuations which of late years had proved very injurious to those engaged in the trade, in consequence of the supply of flax being frequently unequal to the demand. In the third place, in the preparation of hemp for the manufacture of those coarse articles for which it was generally applied, machinery was not in very general use; the consequence of this was, that a great deal of hand labour was given to poor people. In that part of Scotland with which he was more immediately connected, the women were employed in their cottages spinning hemp, and thousands gained a scanty but honest livelihood in this manner. Hon. Members were not, however, unused to hear complaints in England of the poor laws. He thanked God that in Scotland they were as yet very little known, but if by impolitic restrictions these poor people were deprived of the means of supporting themselves, what could they do but come upon the parish for relief? This, he maintained, would be the consequence of retaining this impolitic duty, because that particular branch of trade which gave employment to the poor was entirely supported by the bounties, and, now that they had ceased, it would be knocked on the head unless the duty was also relinquished. He conceived that the only apology which could be offered for refusing the prayer of the petitioners would be, that owing to the state of the revenue no tax could be relinquished at present; but, on the other hand, it must be borne in mind that we had for many years past been paying between 200,000*l.* and 300,000*l.* annually in the shape of bounties, and as these bounties had now ceased, the revenue was a gainer to that amount. He therefore did not think that the loss of revenue could be urged against the petitioners with justice, particularly as the loss would amount to such a trifling sum. At present the gross revenue derived from the duty on hemp only, amounted to 60,000*l.* or 70,000*l.*, but from that was to be deducted a large sum that had been annually repaid in the shape of bounties, and also on the annual consumption of hemp in the navy and ordnance departments under Government. It was also to be remembered that the present high duty would operate as a prohibition, and that for the future very little hemp would be imported. He therefore felt confident that he was within the mark when he said that this duty would not produce more than 30,000*l.* or 40,000*l.* a year. Was, then, this trifling sum to be put in competition with the great advantages which taking it off would confer upon a great portion of our countrymen? He sincerely trusted that his Majesty's Ministers would not only grant the prayer of the petitioners, but that they would do so immediately, as every day of delay inflicted the greatest injury upon those who were interested in this branch of trade. The hon. Member concluded by saying, that the merchants were anxiously waiting for the decision of Government on the subject; and although he was the last man who would do anything to embarrass his Majesty's Ministers, yet, if they persisted in retaining this tax, he should consider it a duty which he owed his constituents to bring forward a motion upon this subject, and take the sense of the House on it.

Mr. *Hallyburton* said, that he would not consume the time of the House, by entering at great length into the merits of the petition which had just been presented by his hon. friend the member for Montrose. The ground of the complaint made by the petitioners was, that the article of rough hemp continued to be subjected to a duty of 4*l.* 13*s.* 4*d.* per ton on importation into this country. That this impost was mainly injurious to two great interests —the shipping interest, and that of the manufacture of the coarser fabrics of linens, into which hemp ought to enter, and would enter were it not shut out by the high duty; and that so far as concerned the shipping interest, the tax was at variance with those measures of relief, which had been adopted by this and former Governments, induced the ship-owners to import manufactured articles of cordage, &c. duty free, as they were entitled to do; and in so far was a direct premium on foreign industry, to the injury of our own manufacturers. Respecting the injurious operation of the tax upon the manufacture of the coarser fabrics of linen, the great seat of which was the county of Forfar, which he had the honour to represent, he would state, that hemp ought to enter in various proportions into those fabrics,—that it was prevented from being so introduced only by the high duty on the rough article, and that the manufacture was in consequence deteriorated, and undue advantage given to Russian and German manufacturers, when competing with ours in foreign markets. In consequence of the necessity the manufacturer was under of getting rid of the coarser parts of the rough hemp, by various manipulations, (which coarser part was technically named codilla) the finer and dressed part was reduced to one-half of the original weight, and the coarser part being importable into this country free of duty, and being actually imported in large quantities, the whole tax of 4*l.* 13*s.* 4*d.* was consequently borne by the half ton of dressed hemp. In other words, the manufacturer paid a duty of from 9*l.* to 10*l.* per ton on hemp which was available for his purposes; or rather the manufacturer would pay such a sum did not the duty altogether preclude the use of the article. He begged the House to bear in mind that the relief from the tax would be highly beneficial to a numerous and industrious class of persons in the county of Forfar, he meant females, who would spin the hemp in any quantities that might be given to them, and for a small rate of wages, machinery not having been yet adopted generally for the spinning of that material. He was of opinion that the Exchequer would not suffer any loss by the taking off the hemp duty, but that the Government would remain gainers upon the whole transaction, for it must be considered in combination with the withdrawing of the linen bounties, which had been in course of reduction on a graduated scale since 1825; and a positive declaration, if not a pledge, was given by the late Government that the duty of 4*l.* 13*s.* 4*d.* on rough hemp should be removed entirely on the cessation of the linen bounties on the 5th of January last. The bounties on the exportation of linens had amounted to the annual sum of little short of 300,000*l.*, and from that burden the Government was now relieved by the total withdrawing of the bounties. On the other hand, the duty on rough hemp imported could not for the two last years be stated at a larger sum than 65,000*l.* or 70,000*l.* per annum of clear gain to the Exchequer, the amount of hemp imported having gradually diminished; and therefore, taking the saving to Government, on one hand, by the cessation of the bounties, and the loss of duty on the other, the relief prayed for might be given without loss of revenue, and in furtherance of sound and acknowledged principles of taxation.

Petition to lie on the table and be printed.

SEAMEN'S CONTRIBUTION TO GREENWICH HOSPITAL.] Sir *Matthew White Ridley* rose in pursuance of the notice he had given, to apply for leave to bring in a Bill to repeal so much of the Act of 20th George 2nd, c. 28, as related to the contribution of sixpence per month from the merchant-seamen towards the support of Greenwich Hospital. He was happy to say, that it would not be necessary for him to occupy much of the time of the House by troubling it with a long statement on this subject. He was perfectly aware of the difficulties under which he laboured, in endeavouring to bring forward a measure which had been objected to by such high authority as the distinguished Baronet the Governor of Greenwich Hospital, whose letter on the subject, pointing out the fallacy of the grounds on which his Motion was founded, must be in the hands of hon. Members. He trusted, it was hardly necessary for him to assure the House, in the outset, that he had not the slightest intention to do anything which would have the effect of injuring the establishment of Greenwich Hospital in any way whatever; nor had he any wish to withhold from the Hospital, those advantages which were so munificently and properly extended towards it. He was perfectly aware it had been stated, that the funds of the Hospital had not, on all occasions, been directly applied to the particular circumstances for which they were intended under the Act of Parliament, and that the strictest justice and impartiality had not, in some particular instances, been displayed in the selection of individuals on whom the benefits arising from the institution had been conferred. He would, therefore, take this, the earliest opportunity of stating, that from the best inquiries he had been enabled to make on the subject, he fully believed that there was no ground whatever for such accusations. On the contrary, he had every reason to believe that the funds were most properly applied, and that a strict course of impartiality had been pursued in the selection of the individuals who participated in those funds. But the case to which this Bill was intended to apply was one of a very simple character. It was no doubt known to the House, that soon after the establishment of the Hospital in the time of William 3rd, an Act of Parliament was passed regulating it, in which it was enacted, that sixpence a month should be taken from the pay of the mercantile seamen for the purpose of contributing towards the funds of the Hospital. The preamble of that Act stated, that for the encouragement of the service, it was fit and reasonable that seamen should be supported at the public charge, and therefore Greenwich Hospital was selected for the reception of these individuals. That Act was altered and amended by several subsequent enactments. In George 1st, the collection of the sixpences formed also a part of the Act, and it was expressly understood at that time, that the money was to be applied for the general use of the Hospital, and that the merchant-seamen were to be entitled to participate in the advantages of the Hospital. In the 18th George 2nd, an Act was passed for the application of the rents and profits of the estates of the Earl of Derwentwater, to the support and maintenance of the Hospital, and prescribing the mode in which the profits of those estates were to be applied to that purpose. That Act contained a clause which implied that the provisions of the Act of 8th George 1st. extended only to seamen or marines in the naval service of his Majesty; for it said, "It is further enacted, that any seaman or mariner aboard any merchant vessel belonging to a subject of his Majesty shall, in consideration of his having contributed towards the support of the hospital be entitled to the benefits arising from it, if he has been wounded in the service of his Majesty." That Act, therefore clearly recognized the right of a merchant-seaman to be admitted to the hospital, on the ground of his having contributed towards its support. It was discovered, a few years after the passing of this Act, that the funds of Greenwich Hospital were rapidly decreasing, and that the applications for admission were so numerous that it was impossible to provide for the reception of the whole of the applicants. It was considered advisable, therefore, that the merchant-seamen should not be entitled any longer to the benefits of the institution; and the Act 20th George 2nd, cap. 38, in taking that benefit from them. laid down the necessity of establishing some institution for their support. The annual amount of their contribution to Greenwich at present was about 25,000*l.*; and he trusted that, even in the present state of the Exchequer, taking into consideration the manner in which the interests of these poor people were affected by this enactment, the noble Lord would not find it difficult to accede to his proposition. He had a list in his hand, of the number of merchant-seamen who, together with their widows and children, received pensions. The earnings of these poor men were comparatively very small. He might be told that the deduction of 6*d.* a month was very small too. But it was not small to them when compared with the amount of the earnings of these individuals. A man who had been all over the world, who had been exposed to fatigues and hardships of every description, and whose constitution had been injured by exposure to the different climates, and the numerous vicissitudes attending the naval service, received in his old age, a pension of 3*s.* 4*d.* a month. For a child he was allowed 1*s.* 6*d.* a month, which, with his own 3*s.* 4*d.* would not make quite 5*s.* for their support, And, even with regard to these miserable pittances, the funds were at present in such a state, that, in consequence of the repeated applications for admission, the trustees were placed under the disagreeable necessity of either contracting the amount of these pensions, or refusing to allow them at all; and the poor creatures were, in consequence, placed in a state of the greatest distress. This was the case at Newcastle-upon-Tyne; and also at Liverpool; and when it was recollected that these people had themselves contributed towards the support of Greenwich Hospital, it must be admitted that it was a case of very great hardship. He knew no case analogous to this—he knew no other institution in which private funds were required to contribute to public services—and it was neither fair nor just that the seamen should be called upon to do so. It was perfectly right that people should contribute to funds which were hereafter to support themselves and their families; but, in this case, the contribution was for the support of a great public establishment, whose merits he was quite ready to admit; but it was asking too much, to require that funds for the relief of disabled seamen should be supplied from the wages of these persons, when they were not allowed to participate in the benefit of their own contributions. He trusted that the House would give him leave to bring in a bill to repeal so much of these Acts as compelled merchant-seamen to contribute 6*d.* a month towards the support of Greenwich Hospital, and that the fund so taken away should be supplied by Government. Notwithstanding the difficulties under which the public treasury at present laboured, there was no very sufficient ground of objection to this proposition; because it appeared to be only an act of justice towards the best interests of the country. The very reason given by the distinguished individual whose letter he now held in his hand, in support of the view he took of this case, appeared to him (Sir M. Ridley) to afford the strongest arguments in favour of the proposition he was about to make. He must further observe, that these individuals were in a state of the greatest distress; and he, therefore, called upon the House, as an act of common justice and proper feeling, to acquiesce in the motion he now submitted to it. He moved for leave to bring in a bill to repeal so much of the Act of 20th George 2nd, cap. 28, as compels the payment of 6*d.* per month from merchant-seamen to Greenwich Hospital.

Sir *James Graham* was aware the House was anxious to proceed to the discussion of another matter of considerable importance, and, therefore, he was unwilling to detain it on this subject. He should not, however, although he felt compelled to object to the Bill in its first stage, be under the necessity of troubling the House at any great length, because the letter, to which the hon. Baronet had alluded, embraced the greatest part of the reasons on which he was disposed to rely in resisting this proposition. In the first place, he begged to call the attention of the House to the very early period at which this particular grant was made to this institution; and he trusted the House would allow him to state, very shortly, what was the nature of the grant in question, and the purposes to which it was applied. It appeared that the hospital was instituted in the reign of William the 3rd, for the purpose of inducing able seamen to enter the King's service. Its avowed purpose, therefore, was to encourage the interests of the King's service, and to raise it in the estimation of mariners generally, and that purpose was distinctly recognized by another Act, which granted certain privileges connected with Greenwich Hospital to merchant-seamen. It was also necessary to remind the House, that, although this custom had existed for nearly a century and a-half, in no one instance had a representation against this impost been made to the House until within a very recent period. It was, he believed, within the last four or five years, that the merchant-seamen first presented a petition to this House against it. He thought it was also right that he should state to the House, that advantages derived from Greenwich Hospital, as it was at present constituted, were enjoyed by merchant-seamen. There were in that establishment about 2,200 seamen; and one-half of that number had been in the merchant-service before they entered into his Majesty's navy. Many of them had been engaged in that service twenty or thirty years. It was quite clear, therefore, that the prime of their lives had been dedicated to the merchant-service and not to that of the public. There were also other advantages enjoyed by merchant seamen from this institution. There was a school for 400 boys, of whom 300 were the children of petty officers or seamen in his Majesty's service, the remainder being the children of merchant-seamen. He was aware that, by a recent alteration, in consequence of the establishment being changed, certain difficulties had arisen with respect to nomination; but he had to inform the House, that by an arrangement now in contemplation, and about to be carried into effect, each fourteenth nomination would belong to the merchant-service exclusively. He must frankly state to the House his opinion that this motion, which professed to consult the interests of merchant-seamen, did not, in fact, relate to them so much as to the ship-owners; and he was quite confident that, in the present state of wages and great competition, even if the House removed this impost, no addition would be made to the wages of the men employed in the merchant-service. He had no doubt his hon. friend was perfectly aware of a letter addressed to the Governor of Greenwich Hospital, signed by Mr. Woodrooffe, on behalf of the merchant-seamen. He had in his hand a private letter, written by Mr. Woodrooffe, who signed the petition on behalf of the merchant-seamen, in which he frankly stated to the Governor of Greenwich Hospital the nature of the motives which had induced the merchant-seamen to agitate this question, from which it would appear that their complaints did not arise from the particular grievance of the impost in question, but from the reduced rate of wages which they received from their employers. This gentleman said—

> "I am directed to state, that the seamen have perused your letter which has been published, and acknowledge the justice of your observations; and, that if they had the means of continuing to make this contribution, they never would have complained of it; and they also state, that if they received the wages which were paid them at the close of the war, they would consider it nothing but just and necessary to make the contribution. They state, that they have in vain endeavoured to obtain from their employers an increase of wages; and it is in despair of settling the dispute between themselves and their employers, that they have applied for the removal of this impost of 6*d*., which, in no case, amounts to more than 4*s*. in the course of the year."

The real question for the House to consider, therefore, was, on whom ought the burden, necessary to the support of this great national establishment, to fall? He had already stated, that, from the reign of William the 3rd up to the present period, this deduction had existed; and he must now shortly state to the House that, in consequence of the very great reductions which had been made in that establishment, no further reductions could, at the present moment, possibly be made in the income of Greenwich Hospital. Within the last twenty years, a reduction had taken place in the expenditure of the institution, on an average, to the extent of 7,000*l*. a-year. Within that period, also, a diminution of the income of Greenwich Hospital had taken place to the extent of 37,000*l*. per annum, as he would explain to the House. In the first place, there was the sixpenny contribution paid by the King's seamen, which was abolished, that had produced 21,000*l*. a-year. It might be said, that this was an unjust measure without a corresponding reduction from the contribution of merchant-seamen; the grounds upon which this contribution was abolished, however, was, for the purpose of raising the King's service in the estimation of the men, and with the view of increasing its efficiency, that was a consideration that must never be lost sight of, if they endeavoured to do away with or lessen the evils of impressment. The most rational means of avoiding the recurrence of the necessity of having recourse to that odious practice was, to raise the King's service as near to the merchant-service, in point of pay, as possible. He admitted, therefore, that this was, *pro tanto*, an increase of pay; but, on these grounds, he contended, that it was a very wise and reasonable provision. The second source of the diminution which had taken place in the income of Greenwich Hospital was, that there were some half-pay officers employed in that establishment who had been heretofore paid by the public; they were subsequently paid by the institution for the purpose of effecting a saving to the public. The third source of diminution arose from a measure by which the rate of freight was diminished. The fourth reduction was one which would be consequent upon a measure which was now in progress. The matter, therefore, stood thus—the income of Greenwich Hospital had been reduced to the extent of 37,000*l.*; while the expenditure, after every effort that could be made, could not be reduced to a greater extent than 7,000*l.* The surplus income was at present very small; the tax in question yielded 22,000*l.* a-year: it was, therefore, obvious that, unless the House was prepared to reduce the establishment itself to a very great extent, this money must either be paid by the merchant-seamen or out of the public purse. With regard to the reduction of the establishment itself, it so happened, that, from its very peculiar nature, even a large reduction in the number of men would produce but a very small saving of money. Almost all the in-pensioners of that establishment would be intitled, if they were dismissed, to large sums as out-pensioners, the greater part of them to about 12*l.* a-year; while their cost as in-pensioners, for food and clothing, did not exceed 20*l.* a-year per man; and, consequently, a reduction of 500 pensioners would effect a money-saving of only 4,000*l.* a-year. So, also, with regard to the officers of the establishment; almost all of them were intitled to half-pay, and the difference between their half-pay and their allowance at Greenwich was so small, that any saving consequent upon their discharge would almost be counterbalanced by their half-pay. He was bound, also, to state to the House, that this was the worst possible time at which this question could be urged. The pressure on Greenwich Hospital was at present more than usually severe, because a large number of men who had been employed during the war, and who had, since its termination, been able to maintain themselves either in the merchant's or King's service, had become decrepit and in extreme distress, and the number of applications for admission was greater than at any ordinary time. There was another reason why the expenses of Greenwich Hospital were larger now than they would be a few years hence. When the prize branch was transferred to Greenwich, it was made liable to all outstanding prize claims. For the first year the demands on this ground amounted to 30,000*l.*; it subsequently decreased to 10,000*l.*, at present it did not amount to above 8,000*l.* a-year; and at the end of five years, he believed the demands would cease. There would, at the end of that time, in all probability, be a very considerable increase in the funds of the institution. There was, also, another measure now in progress, which he alluded to the other evening, with respect to a change in the land security, which would also increase the funds of the establishment. Without pledging himself as to the effect of future arrangements, he could undertake to assert, that, at the expiration of a few years, the income of the Hospital might be so much increased as to dispense with the demands on the wages of merchant-seamen. He was quite sure he spoke the feelings of the House, and the highest authorities on the subject, when he asserted, that it was a point of the utmost importance to raise the estimation of the naval service in the minds of seamen generally, and there was nothing which would contribute to that so much as the knowledge they possessed, that, when wounded or disabled, they could, among the dangers and trials to which they were necessarily exposed, look forward to Greenwich as a certain asylum, and as a place of rest in their old age, after years of toil and danger in the service of their country. Under these circumstances, he thought the House would not consider it expedient to take from the already diminished funds of Greenwich Hospital, a source of its revenue quite unconnected with merchant-seamen, as it was really paid by the owners, who might be fairly called upon to continue it in return for the protection they received from the King's ships in time of war and occasionally in peace. On these grounds he felt it necessary to resist the motion of his hon. friend.

Mr. *Wrightson* concurred in everything which had fallen from his hon. friend, the member for Newcastle, and would most heartily support his Motion. He thought it a miserable economy which would refuse 20,000*l.* a-year for such a purpose as this, and most unfair that such a tax should be levied upon the merchant service, whether it fell upon the seaman or the ship-owner.

Mr. *Hodgson* said, he felt called upon to make one remark, in reply to the right hon. Baronet, who had asserted, that the men employed in the merchant service derived advantage from this institution, because having been brought up in that service, they had subsequently been employed in the Royal Navy. But the House must recollect, that they were not admitted on account of having been in the merchant service, but solely because they had been employed in the public service, and they would just as well have been entitled to the benefits of the institution, had they never been in any other employment at sea but the Royal Navy. The number of persons in the hospital who had been engaged in the merchant service, only showed how much the navy was indebted to that service for hands; and it was a hard case to take them from the service to which they had been brought up, and then make that a plea to reduce their wages. He would support the Motion.

Mr. *Dixon* thought, it would be much more just that this sum should be taken from the general funds of the country, than that it should be levied upon a particular interest.

Mr. *Schonswar* perfectly agreed in the propriety of keeping up the establishment of Greenwich Hospital; but he contended that the brave men who found an asylum, after years spent in the public service, and suffering from wounds and infirmities, ought to be considered as claimants upon the country. They had an undoubted right to be supported by the public at large, instead of being partly provided for by one particular class. The merchant service never benefitted by the expenses they were called on to pay; and there would be as much justice in calling upon a farmer's servant to pay to a fund because he might afterwards possibly enlist into the army, as to charge a merchant seaman sixpence a month for the support of Greenwich Hospital. He had himself seen some particular instances of the hardships growing out of this practice, and one of them he well remembered. It was the case of a young man who had lost both his legs; and on presenting a petition to him on this subject observed, "Do you not consider mine a case of great hardship; I have been mutilated in the merchant service, and can receive no benefit from the sixpences I have contributed to the support of seamen. I do not object to paying this sum, but I do think that we ought to share in the benefit." On these grounds he felt himself called upon to support the Motion.

Sir *George Cockburn* said, that some years ago he had been disposed to give way upon this subject, as a relief to the distressed shipping interest, and not because it would be any relief to the merchant seaman. The fact was, that the monthly sixpences were paid by the ship-owners, who, of late, had experienced very considerable relief, and had a right to pay this trifling charge in return for the protection they received. In time of war, their vessels were always accompanied by men of war, who, in the event of their being assailed, fought in their defence, while the private ships remained quiet; but should any person in the merchant service receive injury or wounds when engaged in action with an enemy, they were in such case as much entitled to the benefit of Greenwich Hospital, as the crews of King's ships. After what had fallen from the right hon. Baronet, the First Lord of the Admiralty, who had defended the charges on the wages of the merchant seamen on the plea of necessity only, and had stated his intention to dispense with them whenever other funds sufficient for the support of seamen wounded or disabled in the public service could be obtained, he would recommend the hon. Baronet to withdraw his Motion for the present, and trust to the increase of the income of Greenwich Hospital, as a means of entirely getting rid of the charge.

Lord *William Lennox* would not have risen, had he not the honour of representing a populous town deeply interested in this question. After the able manner in which the hon. members for Newcastle had stated the question, he would not occupy the time of the House, but merely say, that he thought it an act of injustice that the merchant seamen should be taxed for the support of an hospital that ought to be supported by the country. He should vote in support of the Motion.

Mr. *Hume* said, he never heard of a man receiving a pension as a merchant seaman from the funds of Greenwich Hospital. Soldiers were not called upon to contribute towards the support of Chelsea Hospital, and he thought that sailors ought not to be taxed for the maintenance of Greenwich Hospital. No class of men were more deserving than the merchant seamen, and there were none whose interests were in a more miserable condition, or possessed fewer advocates. It appeared that one-fourth of the number of children admitted into Greenwich Hospital School were intended to be taken from those whose parents were attached to the merchant service. He very much doubted the propriety of that institution. He was inclined to think that the children were chiefly selected from persons resident on the spot, or in London, and that the system of favouritism was at work in procuring their entrance. The yearly aggregate of the monthly tax levied on the merchant seamen on behalf of the hospital was no trifling matter. In 1831, the amount deducted from their wages in this way was 24,000*l.*—an important sum at any time, but especially important in the present distressed state of the shipping interest. Why should the merchants of the country, by whom the taxes was in reality paid—why, he asked, must they be forced to pay 24,000*l.* a-year for the purpose of keeping up a great national establishment? Even poor as the nation was, and depressed as was the state of our financial resources, the burthen should not be imposed upon a particular class of the community. Nor, though the tax was paid by the ship-owners, would it be easy to persuade the sailors that it was not paid by themselves. For his own part, he did not object to the institution, but he wished that it were supported, like all our national institutions, out of the public purse, and that our liberality should not be exercised at the expense of individuals. He was extremely anxious for the adoption of the hon. Baronet's measure, yet at present he conceived it would be better not to press it to a division, as he was sure that Ministers themselves would next year, or in the course of a few months, see the propriety of coming forward to perform what was barely an act of justice.

Sir *George Clerk* said, the remark which had been made by his hon. and gallant friend relating to the support the merchant service received from the navy in time of war, showed that that service derived some benefit from the Royal Navy, and, therefore, that there was such connexion between them that the private service ought to contribute to the support of persons occasionally wounded or disabled in defending their vessels. No other class of persons in the community were similarly circumstanced. The fact was, that this was neither more nor less than a tax of 20,000*l.* a-year on the shipping interest of the country; and he should be very happy whenever the moment arrived that Greenwich Hospital had a surplus revenue, so that the right hon. Baronet might be able to relieve the shipping interest from that tax; but certainly they received the benefit of protection in return for paying it. Now that he was on his legs, he begged to put a question relative to the Keswick estates of Greenwich Hospital. The other night a question was put as to the sale of some of those estates; and he had understood the right hon. Baronet then to say, that only a small portion of them was to be disposed of in that manner. He now, however, saw by an advertisement in the newspapers that two or three of the estates were offered for sale; he, therefore, wished to know, whether it was in contemplation of the Government to dispose of the larger portion of those estates? With respect to the hon. Baronet's Motion he presumed that he would hardly think it necessary to press it, after what had fallen from the right hon. Baronet, but for the present rest contented with the promise that had been held out.

Mr. *Baring* said, that all sea-faring men had an interest in Greenwich Hospital, because, from the manner in which Government manned its ships, no one who entered the merchant service was free from the liability of being pressed into the service of the King. He admitted that they were not taxing the seamen by this, but the commercial marine of the country; and, certainly, if it could be got rid of, it would be very desirable. He thought, however, that he could suggest a means of saving enough out of the funds of Greenwich Hospital to pay for this expenditure. According to a paper which he held in his hand, explanatory of the gross rents and disbursements of the Derwentwater estates, it appeared that the disbursements had frequently been as great as the receipts. In this he was speaking only of the estates, and not of the mines; and he fancied that as most Gentlemen understood something of the management of estates, they would be a little surprised at the statement which he had made. The amount of the rents last year was 25,000*l.*, and of the disbursements 17,000*l.*; but this was comparatively low, for in some years the expenses had risen to upwards of 40,000*l.* He, therefore, really thought that, with proper management, a saving on those estates might be made equal to the amount of the seamen's expenses.

Sir *James Graham* assured the hon. Gentleman that the expenses of the Derwentwater estates had not escaped the notice of the present Board of Admiralty nor of the last. But his answer to the statement of the hon. Gentleman must be, that the expense was already incurred, and there was, therefore, now no help for it. The estates, however, had been placed in the highest state of culture, and the consequence was, that they would be highly productive without incurring any great outlay for some considerable space of time. With respect to the sale of the estates, he had certainly thought it right to direct that some of them should be sold for the sake of ascertaining their value; the sale, however, had been confined to the outlying estates, and the main body of the property had not been at all dismembered. As the thing had only been done by way of experiment, it was impossible for him to say whether any further sale would be deemed advisable.

Mr. *Goulburn* trusted that, before any further sale took place, an opportunity would be afforded for the discussion of the subject in that House.

An *Hon. Member* was not disposed to withdraw a single farthing from Greenwich Hospital; and he thought it was an unreasonable argument to say, that, because a man was liable to be called on to serve the king, he ought also to be required to pay sixpence a month while in the merchant service.

Mr. *Weyland* said, if he saw any security that the money raised by the tax would be distributed among the men from whom it came, he would not object to its continuance. He, however, had a proposition to make to the hon. Baronet. It was well known that, by paying 1*s.* 3*d.* a month to a Friendly Society, every man was able to obtain an allowance in sickness, and an annuity in old age. A similar provision in this Bill, or any other of the same kind, should have his support. But he would not consent to exact the payment of 6*d.* a month from the seamen, unless he could be sure that it was to go towards a fund, the result of which was to be the moral and temporal benefit of the sailor.

Sir *Matthew White Ridley* said, there were two points in which he had been misunderstood. When he had opened this discussion he had distinctly stated, that he had no intention whatever to propose a deduction from the funds of Greenwich Hospital; he had merely taken it as a question between the Consolidated Fund and the pockets of the seamen. Neither was it, as supposed to be, money deducted from the pockets of the seamen into those of the ship-owners. His object was, that the subscription of the seamen should be applied to their own local funds, and swell them into importance and utility. With respect to Greenwich Hospital, though some hon. Gentlemen would seem to find fault with the appropriation of the funds of that charity, he felt bound to say, that he had made an inquiry on the subject, and his belief, in consequence, was, that there was no such misapplication. The appointments appeared to be fairly dealt out, and there seemed to be no just ground of complaint on any account. He felt much gratified at what had fallen from the right hon. Baronet; and finding that the sense of the House appeared to be, that he should adopt the suggestion thrown out on the part of the Government, he was willing to withdraw his Motion in the present instance, and look forward to the time when the right hon. Baronet should be able to carry into execution that which he proposed.

Motion, by leave, withdrawn.

LINCOLNSHIRE MILITIA.] Sir *William Ingilby* said, in bringing the Motion on this subject forward, of which he had given notice, he trusted that he might be allowed to enter into a history of the facts of the case, in order that the grounds upon which he went might be fully understood. After the late prorogation of the Parliament, in October, his duties had called him into the county of Lincoln, which he had the honour to represent, much about the period when the two

Militia regiments of that county were called out to perform duty. According to the notice of the Lord Lieutenant of the county, who was the Colonel, the South Lincoln Militia met, on the 15th of November, at Stamford. It was, however, worthy of remark, that many of the officers of that regiment thought proper to be absent; in particular the Lieutenant Colonel, whom he saw opposite, had not cared to show himself on the occasion. To be sure, there were a Captain or two and some other officers with the regiment at Stamford, but, generally speaking, he might say, that there was a very shy muster in the officer department. Indeed the Commander himself seemed to think that his subordinates were setting him a very good example, for, having a little private business of his own, he took the hint, and retired to his own abode on the Saturday, and contented himself with coming back on the Monday morning. When he thus came back, it turned out that something had occurred at Stamford to excite the passions and stir up the irritated feelings of the noble Earl, which certainly were quite at variance with the sentiments that the noble Earl afterwards expressed in his speech to the regiment. In consequence of these angry feelings, the noble Earl wrote—he hardly knew what to call it—a puling sort of a letter to the Clerk of the Ordnance, calling upon him for his interference with certain parties in the borough of Stamford, whom the noble Earl supposed to be under the influence of that gentleman. This letter was replied to by his right hon. friend (Mr. Tennyson), in what seemed to him to be a very proper and satisfactory sort of a way; but it was not, however, his intention to read the letters to the House, as they had already been fully before the public. The material correspondence to which he wished to call the attention of the House was that which had taken place between the Government and the Lord Lieutenant; and he certainly thought that the relative situation in which these two parties stood to each other was a little curious. The noble Earl was what in those days was called an Ultra-Tory; and where an Ultra-Tory Lord Lieutenant had to act with a liberal Reforming Government, the very natural consequence was, that they were pulling two very different ways; but even though this was the case, he thought that, between them, they might have avoided casting a stigma on the county of Lincoln. In the observations that he had made he did not intend to complain of the noble Earl having retired from Stamford from the Saturday to the Monday. Being a family man, no doubt the noble Earl was very right; for though he had to serve the king, that did not exempt him from serving his family too; and as Saturday was a convenient sort of a day, it was all very natural that he should have made choice of it to wend his way homeward; but though there was this justification for the Colonel, there could be no doubt that the Militia had lost great opportunities of efficiency of service by the additional absence of the Lieutenant Colonel, who, having seen service all his life, and having been in Portugal, Spain, and Waterloo, and he knew not where besides, would, beyond all doubt, have been highly useful in the way of illuminating the Lincoln Militia; and no doubt it was owing to the hon. Gentleman's absence that the regiment was as blindly ignorant of service on the last day of the three weeks as they had been on the first. Having said thus much of the South Lincoln Militia, he would now pass on to the North Lincoln Militia. He happened to be in the neighbourhood, looking after some of his farms, and, therefore, could speak as to the impression made on him on seeing them going into Lincoln. All that he had seen were parties of fennmen, going, about six at a time towards the city, and withal so blithe and frisky, that to him they looked more like lively Emeralders than the sober men of Lincolnshire. Now, as to the officers of this regiment, he might say of them as he had of those of the other regiment, that they did not appear particularly active in making their appearance. He did not, however, intend to specify the whole corps; and he might, therefore, content himself with observing, that, with respect to the Lieutenant Colonel, the thing for which he appeared to be best suited was, to be a member of the Charles-street Club, and about as much might be said of the Adjutant. But, however, to return to his narrative: from the time that the men came into Lincoln nothing whatever happened, except that there was a muster (he believed) of the clergy and the old women of the place in the cathedral yard; but, of course, no harm came from that. But though this was all that took place with respect to either of the two regiments, to their great surprise they learned, that, pursuant to a direction from Lord Viscount Melbourne, they were to be disbanded before the regular time, in consequence, as he felt justified in saying, of the correspondence that had taken place between the Lord Lieutenant and the Government. He thought, therefore, that, in moving for a copy of this correspondence, he was doing nothing but what was fair and proper with the view of discharging the county from that disgrace which was now hanging over it, in consequence of the sudden and unexplained disbanding of its Militia force. He must confess, however, that he had some difficulty in reconciling this correspondence of the noble Earl with what had taken place when the noble Earl subsequently attended at Stamford, for the purpose of discharging the South Lincoln regiment. On that occasion the noble Earl addressed the corps in what had been called a high-minded speech in the paper published by the Marquis of Exeter; and he preferred quoting from that paper, because, as both the noble Earl and the noble Marquis were members of the Charles-street Society, of course they perfectly understood one another, and what was therein published might naturally be received as quite agreeable to both. The address was couched in the following words:—"Soldiers of the Royal South Lincoln Militia! It having been found necessary to shorten the period of training and exercise to twenty-one days, in consequence of the advanced season of the year, this is the last opportunity for drill; and I am bound to say that you have made as much progress in your military exercise as could be expected from the shortness of the time, and the state of the weather. I must also declare to you that your general conduct has been satisfactory to me, for, although attempts have been certainly made, by designing and ill-judging persons, to pervert your minds, little effect has been, I am quite sure, produced by such artifices, which artifices have been, I trust, nearly, if not altogether, as unsuccessful as the hope expressed by the same mistaken persons of *scaring me* from the execution of my duty in this place; for those, indeed, can know but little of my character who suppose that I am to be easily deterred from a strict performance of that which I feel to be upright, just, and honourable. I have been long enough engaged in military business to know that if a commanding officer will be at the pains to do his duty towards his men, they, as British soldiers, will not fail in their duty of manifesting towards him their good will, esteem, and confidence. As I can make the appeal on the subject of my own conduct towards you, without the least hesitation, I tell you, in the language of sincerity and truth, that I do place the fullest confidence in your behaviour and general conduct. I have now only to require that you will conduct yourselves during to-morrow, with the sobriety and good order due to the solemnity of the Sabbath day, and also that you will, early on Monday, according to the orders which you will hear read, appear at the muster, and, having been settled with by the officers of the companies, repair quietly to your respective homes." He quite agreed with the newspaper which was under the patronage of the noble Marquis, to whom he had before alluded that this was a high-minded address, but surely the inference to be drawn from it was, that the noble Lord had the fullest confidence in his men. What, however, was the result? Why, that Major Campbell of the 19th regiment with about 200 of his men, who were marching northward, were suddenly countermanded, and directed to remain in the neighbourhood to overawe the Militia, and protect their commander; that this was the fact, was proved by the resignation of Major Calcraft, who retired from the Militia in consequence. After this statement, although his Motion might be negatived in that House, he trusted that the noble Lord, the Lord Lieutenant of the county, would produce the correspondence, and satisfy the people of the county that he at least was not to blame. If it were produced, he entertained not the slightest doubt that that correspondence—that noble-minded correspondence, as it had been designated—would turn out to be what his hon. and learned friend, the member for Kerry, would call so much blarney. He expected that the hon. and gallant Member opposite would reply to him, and he hoped that, when he did, he would practise more courtesy than was usual with him—that the gallant Member would not inflict upon him a repetition of those observations concerning the county meeting, at which he had united with his constituents for the attainment of a public object, and which the gallant Colonel called an assemblage of 400 ragamuffins. The hon. and gallant Member was in the habit of sitting growling and grumbling like Etna, and then a crater would burst, and out would come—nothing but smoke and rubbish. He hoped that when the hon. and gallant Member came to speak of him and of his county, he would observe truth and correctness. The hon. Baronet concluded by moving for a "Copy of the Correspondence between his Majesty's Secretary of State for the Home Department and the Lord Lieutenant of the county of Lincoln, upon the subject of the dismissal of the two county regiments of Militia before the expiration of the term of service for which they were embodied."

Mr. *Heneage* seconded the Motion, and, observed, that, he could by no means understand on what grounds the dismissal took place, for, although an offence was committed during the first week the regiment were at Stamford, no one was punished for a repetition of it during the after period of the training. The dismissal of the regiment had caused much surprise in the county, as no other reason was assigned for it than the cold which prevailed at that time, and which, being no uncommon occurrence, might easily have been foreseen.

Mr. *Lamb* assured the House, that he would detain it but for a very short time upon this not very interesting subject. He should resist the production of this correspondence upon general grounds. The House would readily perceive that the correspondence between the Government and the Lord-lieutenant of a county must often be of the most private and confidential nature, and, therefore, nothing but the strongest necessity could ever justify the production of it. No such necessity had been made out upon the present occasion. If he were to explain the reasons why the period of service for the Lincolnshire Militias had been shortened from twenty-eight to twenty-one days, he might as well produce the correspondence for which the hon. Baronet moved. This shortening of the service of the Militia was not at all unusual: it had taken place in two other instances besides this during the short period in which he had been in office: and could assure the hon. member for Lincolnshire, that it neither was a slur, nor intended to be a slur, upon the Militia regiments of his county. He would, therefore, content himself by repeating his intention to resist the production of these papers.

Colonel *Sibthorp* said, that, although the hon. Baronet had paid him some compliments at the outset, the termination of his speech was of a totally opposite tendency. He wished the hon. Baronet to understand, that his compliments, or the reverse, were matters of perfect indifference to him. When he stated that his absence, which had been alluded to, was caused by indisposition, he hoped that he had given a sufficient answer to that part of the hon. Baronet's observations. If he were to move for the production of the correspondence between the hon. Baronet and the editor of one of the most scurrilous and venomous papers that ever came from the press, it would be quite as reasonable as the present Motion. If the hon. Baronet would consent to the production of the correspondence, between him and Messrs. Drakard, Northhouse, and Co., he Colonel Sibthorp) should not object to the production of this correspondence. The subject to which the hon. Baronet's Motion applied could not be understood by any other than a military man.—"*Fit fabricando faber*." He must say, that if the hon. Baronet would not interfere with matters of which he was utterly ignorant, but would let the House have the advantage of his eloquence upon subjects with which he was conversant—if he would favour the House with his ideas upon the tobacco trade, with which he was perfectly conversant—he would have a better chance of obtaining the approbation of the House.

Mr. *Tennyson* said, that the Lord-lieutenant, for whom he had the highest respect personally, had shown that he was mistaken as to the facts which occurred at Stamford, among his constituents by a letter which the Lord Lieutenant had addressed to him, and which had been made public. If the letter which the noble Earl addressed to the Government contained similar representations, he had only to say, that the information upon which Government had acted must have been incorrect. He trusted that this transaction would afford a lesson to the Government, and would make them reflect how they consulted the wishes of individuals, who, having no consideration for what the people deemed their interests, had little feeling in common with them. Civil authority, unless exercised by those who sympathised with the people, was ineffective.

Mr. *Cust* observed, that he merely rose to say, that nothing which had occurred in the course of this debate rendered it necessary for him to say anything.

Motion negatived.

TITHES (IRELAND).] Mr. *Stanley* rose, pursuant to notice, for the purpose of calling the attention of the House to the subject of Irish Tithes. On the 6th of December, that House, in common with the other House of Parliament, received from his Majesty a recommendation to take the subject of Tithes in Ireland into their immediate and most attentive consideration. In reply to that recommendation, the House assured his Majesty, that it should be one of its first duties to inquire whether it might not be possible to effect improvements in the laws respecting the subject of tithes in Ireland, which might afford the necessary protection to the Established Church, and, at the same time, remove the present causes of complaint. In a few days after the recommendation from the Throne and the Address in answer to it had passed, a Committee was appointed, and the subject thus referred to that Committee engaged its most careful and laborious investigation. Having had the honour to be the Chairman of that Committee, it had been his duty, in compliance with its instructions, to make a report to the House. The Committee had not been able to conclude its labours, yet it had proceeded far enough to be able to lay before the House some portion of the information which it had acquired and, in presenting its first Report to the House, to call upon the House to take such steps as, under the circumstances, might be necessary. The Committee having proceeded that length, it had now become his duty to lay before the House the views which his Majesty's Government entertained of the information acquired by the Committee on this most important subject, and the means of carrying the recommendations of the Committee into effect. The most convenient and regular course, however would be, that he should submit those views to a Committee of the whole House, especially as he wished to submit the whole plan of Government, with all its details, to the consideration of the House. Such a course would be more convenient, as affording wider scope for debate, and affording him a better opportunity to explain and state the whole of the plan which his Majesty's Government had resolved upon adopting, as well as the Resolutions upon which they intended it should be founded. Anticipating no objection to this mode of proceeding, he should, in the first instance, content himself by moving "that the House do resolve itself into a Committee of the whole House, and that the Speaker do leave the Chair."

The question having been put,

Mr. *Brownlow* said, that, perceiving, from the notice given by the right hon. Gentleman, that it was his intention that night to draw the attention of the House to the consideration of the partial Report of the Committee upon tithes in Ireland, he had concluded, from that notice, that the right hon. Gentleman would feel it part of his business to open out to the House the nature of the views taken by his Majesty's Government, and the Resolutions which they meant to propose as founded upon that partial Report. Without intending or presuming to judge what was the usual course of proceeding in that House, with which the right hon. Gentleman must, of course, be much better acquainted than he professed to be, yet he must take the liberty of stating, that he thought the line adopted by the right hon. Gentleman on this occasion was of an unusual nature; because he ventured to think, that when a right hon. Gentleman moved that the Speaker should leave the Chair, for the purpose of the House going into Committee to consider of certain Resolutions, the reasonable and common-sense mode of dealing was, that, before they went into Committee, they should know what the Resolutions were that were to be moved. He believed that the Members of that House, agreeing to go into a Committee upon certain Resolutions, were regarded as assenting to the principles of those Resolutions. ["*No, no.*"] Certainly, when he recollected various occasions in that House, and when he more particularly recollected the course of proceeding on the Catholic question, he ventured to state that whoever the hon. Member was who undertook to move that the Speaker should leave the Chair, for the purpose of the House going into a Committee to consider of certain Resolutions, that hon. Member found it his duty fully to state the nature and objects of his Resolutions; and he undoubtedly thought, that the Resolutions of his Majesty's Government ought to be stated to the House on the present occasion. The House ought not to be called upon to go into Committee upon Resolutions of which they knew nothing. They should not be taken, as would be the case according to the practice of Parliament, to assent to the principles of the Resolutions, which the right hon. Gentleman had not as yet thought proper to declare. He did not however, state that he was altogether sorry for the course which the right hon. Gentleman had pursued; because, in a certain degree, it removed him, and some of his friends who agreed with him, from the painful position in which they might otherwise appear to stand, of being opposed to his Majesty's Ministers, and to the Resolutions which they proposed. He and his friends were unacquainted with the Resolutions. They had received no intimation upon the subject, and, therefore, they could not be understood as objecting to them. In the absence, therefore, of all such information as he certainly thought it was reasonable to expect, and as it would have been consistent with the proceedings of Parliament to communicate on the subject, he must proceed to apply his observations, as well as he was able, not to the statements of the right hon. Secretary, but to the partial report to which the right hon. Gentleman said he would draw the attention of the House, but upon which at present he was perfectly ignorant. He was sorry—he deeply deplored—that the House was called upon by the right hon. Secretary to deal with that partial Report. He thought the proceeding premature and unseasonable and unwise. Why should they be called upon to deal with a partial Report? Why was not the whole subject before the House? Why had not the whole of the evidence by which the whole subject was capable of being elucidated been collected and heard, by the Committee, and presented in every point to the consideration of the House. That would have been the right course of proceeding. With an ample inquiry and full evidence, the House might have approached with justice to the consideration of the Resolutions and of the practical measures to be founded upon them. But he protested against this partial Report, as pressing the House with undue speed and precipitancy to consider the case of the parish clergy by itself, without reference to all the other great features of the question. But did he, when he said this, hold lightly the case of the parish clergy? Far from it; but he thought, that the case of the parishioners ought to be considered along with that of the parish clergy—along with the case of the Church should be considered the case of the congregation; along with the case of the incumbent should be considered that of the tithe-payer. It should be taken as one indivisible subject. Something like a settlement might be hoped for when the whole question was fairly brought under the consideration of Parliament. He begged again not to be understood as undervaluing the parish clergy. He felt that the parish clergyman was placed in a situation of great difficulty; that he was reduced to very great deprivations, and even dangers, by no fault of his own. He felt that, amidst extremely trying circumstances, the parish clergy had behaved with great temper and great moderation. But he said, that, even as regarded the clergyman, this was not a wise course to pursue, because he conceived the House was to understand that the Resolutions were to go to the fearful extent that additional laws of coercion and severity were to be called for by the Government, to enable the clergy to collect their dues in Ireland. He said, that this course would not serve the parish clergyman, and that it would injure the cause which his Majesty's Government had in view. He undertook to say, that the evils, great as they had been at the commencement of the Session of Parliament, and unmitigated, as they had continued to the present day, would be aggravated by the statement of the right hon. Secretary—that additional laws, if the fancy of man or the ingenuity of lawyers could devise a system of greater coercion and severity, were necessary for upholding the Church Establishment in Ireland. Could any announcement be more fatal than this? Would it produce peace between the parish clergy and the people? Would it dry up the sources of bad blood between the Church and the congregation? He believed, on the contrary, that it would promote dissension between the parish clergy and the people. It would place the clergyman in a situation of great difficulty, if not of danger, and would render him unfit for discharging any of those offices of benevolence which were so nearly connected with the duties of his profession. He felt that there could be nothing more injurious to the Church Establishment than the Resolutions which he understood his Majesty's Government were about to propose, because he thought that the only way to deal with this case, and to uphold the Church in Ireland, was to remove it, as quickly as could be done, from all connection with the causes of injustice and tumult and civil war. He did not mean to say, that the interests of these reverend gentlemen were not to be considered by Parliament. They had qualified themselves for their profession, and had entered upon that profession with the same rights as other professions, under the protection of the laws of England. He did not stand up there to defend illegal popular combinations in Ireland. He dreaded and denounced them. He felt the danger of them. He knew that they led to disgrace and discomfiture, and destroyed the peace of Ireland. He did not mean to state that the sums which had become due to the reverend gentlemen under the old tithe law, so long as that old law remained, were not to be recovered, if by possibility they could be. But he did state, that if the object was to protect the clergy, to uphold them and enable them to recover their incomes, the House was taking a very fatal course by looking to measures of coercion and severity for the accomplishment of such objects. They would not accomplish them. He thought that, by the side of such measures of coercion and severity, Ministers should have placed, in distinct and unambiguous language, measures of reform, of solid amendment, and of radical change, in the whole Church system of Ireland. If those measures of improvement and reform were proposed in accompaniment with the other resolutions, he should be disposed to see no great objection to measures of severity for a season, if, on the other hand, he saw that the Government was disposed to win the confidence of the people by conciliation and kindness. That was his plain opinion. Measures of severity, and additional laws might be necessary; but, in conjunction with them, let the House try the simple, easy, and wise course of conciliation and reform. It was much to be desired, that the House should know from whence sprung the opposition to tithes in Ireland. There was a Committee appointed to examine into the whole question, and yet they had not said a word on this subject. In order to be able to adopt a remedy, it was necessary to know from what opinions and principles the resistance to tithes proceeded, and to what extent it prevailed. Whence arose this opposition to the payment of tithes? From what causes did it originate? These were the all-important questions which the Committee had done little or nothing to answer. In his belief, the resistance to pay tithes arose from no oppressive measures which had been adopted by the clergy for the purpose of exacting their due, for such had never of late been the conduct of the clergy of Ireland. They had, on the contrary, generally exercised their rights with a singular disinterestedness and moderation, and they did not by many degrees enforce their legal rights. He was bound to say, that they conducted themselves with the greatest temper and moderation. He wished to be understood as bearing his humble testimony to the moderation of the clergy of the Established Church in Armagh. It appeared, then, that it was not exaction and oppression which caused the resistance. The clergy took nothing like the tenth part of the produce of the soil. He recollected the case of one gentleman, a witness, who was examined before the Committee — a Gentleman adverse to the collection of tithes, who, on being examined, stated that he held a farm of 700 acres, the rental of which amounted to 1,000*l.* a-year, and the amount of tithe he paid was 30*l.*, which was not above one-thirtieth part of the rent. Supposing the produce to be double of the rent, the tithe, therefore, was not above one-sixtieth part of the produce of the soil. In many parishes in Tipperary, he believed that the tithes were not one-fourteenth of the rental, and supposing the produce to be double that of the rental, that made the tithes only one-twenty-eighth of the produce. There were seventeen such cases before the Committee. A tithe agent, Mr. Palmer, he believed, stated that, in general, the tithes did not exceed the fiftieth part of the produce. In the whole Province of Ulster the exaction was, he believed, still more moderate. In Tipperary, in the county of Dublin, in the province of Ulster, the tithes were moderate. It was very different, he believed, from the tithe system of England. If he were not misinformed, it was not unusual here, he believed, to exact a third of the rental. Generally, he might say, that the exaction exceeded one-fifth. It was not, therefore, from exaction and oppression;

and he wished this to be clearly understood in justification of the clergy, and for the better knowledge of the question—he wished it clearly understood that avarice and oppression on the part of the clergy were not the sources whence the resistance had arisen. Whence then did it arise? That was the important question. Why did he ask this? Because that was the important question for the Representatives of the country to answer. It arose, from somewhat similar causes, as there arose among the people of England—the sober people of England—at a former period, the period of the Reformation, a new religion, and the people could not be brought to see with patience that the great mass of the community was of one religion, and the Church Establishment of another; that they should be of one creed, and their pastors and moral teachers of another. But that was the case of Ireland. There the majority of the people were of one religion, and there the instructors, the moral teachers and paid clergy, were of another. That was the great blunder which had been committed. In all the blunders ever committed by Irishmen, in all their bulls, there was something ludicrous, some stroke of wit, some touch of merriment, some mirth—but in this practical Bill there was no redeeming quality; it had no merriment, no mirth, no laughter in it. The establishment was strange to the disposition, and provoked the opposition of the people. He wished it to be understood, that the opinions of the people were in opposition to the institutions of the Church in Ireland. That was at the root of this difficult question. That had been, he believed, the source of the difficulties of Ireland through many centuries, and the great cause of her crimes, miseries, and distractions. Other circumstances might have some effect. It was impossible to mingle in society and not perceive that there was a visible, if not a strong current setting in against the payment of any religious establishment maintained by the State. Such a current had certainly set in against religious establishments. When did any individual hear a society of ten or twelve persons discussing the merits of religious establishments, and find any one of them maintaining that such establishments should be of the religion of the small minority of the people. Such opinions were gaining ground, and were lying at the root of this evil. The people, the whole people, nearly, were going one way, and the Church Establishment another. He begged, however, that it might be understood that the opposition to the payment of tithes was not confined to the Roman Catholics. God knew the question would be difficult enough if it only went to that extent. But that was not its limits by any means. What was the opinion of the Presbyterians? They were a numerous body strongly imbued with religious sentiments, and what opinions did they hold as to tithes? Undoubtedly they were one and all for what was called a free trade in religion. They wished that every man should pay his own Minister, that every man should support his own Church, and not pay for another. That was the sentiment of the great majority of the Presbyterian population of the northern part of Ireland. But what was the opinion of the Protestants—of the Episcopalians of Ireland? He should like to know what answer would be given by the men who were denominated Protestants in Ireland, if they should be called on to pay the Presbyterian Minister, or, who could picture their rage, should they be called on to pay tithes to the Popish Priests? He believed the sturdy yeoman of the North, on whom such a demand was made, would give those who made it to understand that he bore the King's Arms, that he would not submit to support an institution that he regarded as an injury, and that he would not pay a clergyman from whom he received no benefit. He should think those men justified, and they were, he believed, generous enough to concede to others the privilege of acting on principles of which they themselves approved. They made considerable allowance, then, for the feelings of their Catholic countrymen, and went along with them to a considerable degree. Whether it was right or not, he gave no opinion, but that was, he believed, the fact. But was the House sure that the Protestants, who were supposed to be the most attached to the Government—was the House sure that they wished to maintain the Church Establishment as it now existed? Was the House sure that the Protestants were satisfied with, that they approved of, the dignity assumed by the Bishops, and of the pomp, wealth, and splendor, they exhibited, while the poorer working clergy were obliged to put up with the most miserable pittance? He believed that no man was to be found, and, undoubtedly, there were but few Protestants, who did not wish to see that the emoluments of the clergy of the Established Church were in some measure proportionate to the service performed. The humble curate had been described as rising at six in the morning, to say the morning prayers; he rose from his dinner to repeat the evening service; he it was who baptized and who married—and for all these labours he received a miserable pittance not equal, in many instances, to the labour of a mechanic; he received 70*l.* a-year. With that system the Protestants were not satisfied. The important question for the House, then, was, how would it deal with the Church? How would it deal with the tithes—how would it deal with the whole question between the Church and the people? Was the Church property to continue as at present distributed? He did not apprehend that Parliament could give security to the present distribution much longer. What, then, was to be done? Would the Establishment not be better if some proportion were established between the institutions and the opinions of the people? Every man admitted that something must be done, and that speedily. The great source of the complaints and of the mischiefs of Ireland was the lateness of legislation. That which, granted to-day, was received only with gratitude, if delayed till to-morrow was altogether unfit, and was received with distaste. What, then, was to be done? He believed that he was not about to state anything but what was publicly known, and, certainly, he was about to state nothing but what had transpired in the Committee. He might state it, he believed, as an opinion of a dignitary of the Church delivered in the Committee, though, as that dignitary was cross-examined, and he was not present at the cross-examination, he would not mention the name of the individual: he might state what he was about to say, as the opinion of that dignitary, but as he might misinterpret it, though it had, he believed, all the weight of the highest authority, he would mention it as merely his own opinion. It was, however, suited to the occasion and his sentiments of duty. The question was, what could the House do to meet the difficulty—what practical measure could it adopt? He would state then, as his opinion, that respecting the rights and privileges of every existing individual—for he would never, for the sake of any Reform, sacrifice the right of individuals—he certainly would proceed to consider all ecclesiastical benefices, as they became vacant, at the disposal of the State; and he would make the application of their revenues as best accorded with the spirit of the country, and with its circumstances. That was the line of conduct which ought to be adopted to meet the circumstances of the case, and that was the principle which should now be proclaimed to give satisfaction to the people. As long as the Church was in opposition to the people, and they were completely dissatisfied with it, no measure would succeed. They might talk of the danger of illegal combinations, of resistance to the law, of the danger of the people learning their own power, and of their capability to resist legal authority; all that was undoubtedly true, but for it all, there was only one remedy, that of making the law so as to ensure for it the support of the opinions of the people. But if the Parliament should embark in any scheme of coercion, if it should adopt measures of severity to support the Established Church—that would be a fatal day when it entered on such measures—it would meet with dangers such as it had not yet encountered, for the feelings of Irishmen never were stronger and never were more unanimous than on this question, and they were guided by good sense, justice, and moderation. Whatever was proposed he would say, as the first thing to be attended to, be cautious; be cautious how you adopt measures of severity and coercion. Were there not already measures of severity enough? There were severe laws to compel or recover the payment of tithes; and were other measures more severe to be adopted? At least let great caution be used, for if they enforced severe laws; if they adopted measures of coercion, it was plain that the Government and the Parliament would sustain a signal defeat. He would say one word more, and that was to entreat the Parliament promptly to apply itself to the subject. He wished that inquiry should be speedily made into the whole matter. He would take upon him to say, that anxious as he was to have the tithe question brought to a conclusion, and anxious as he was to support the Church Establishment, he was sure that not one landlord would claim the tithes as his, he distinctly renounced for them and for himself, as a landlord, all claims to tithes; they were a public revenue, to be disposed of for the public service. They were endowments made by the State for the service of religion, and for the support of the clergy; but if they desired to preserve these revenues from the State, for the benefit of the clergy and for the instruction of the people, they must act on these principles, and they must act speedily; or rapidly as things went from bad to worse in Ireland, they would lose their tithes altogether. He would say, then, that so valuable a revenue should not be lost; that the whole question should now be gone into, and they should not wait for the confusion and tumult of civil war to destroy this revenue altogether; but directing it towards those proper purposes for which it was already destined, it should now, and at once in order to secure it, receive a popular application. The hon. Gentleman concluded by moving, "That with a view to a full inquiry into the whole question of tithes, and to the just appropriation of Church property, the debate be adjourned till the whole of the inquiry be concluded by the Tithe Committee, and the evidence and the Report be both laid before the House."

The Amendment having been seconded,

Lord *Milton* wished to observe, that the suggestion of his hon. friend did not seem likely to attain the object he had in view. He doubted the expediency of his hon. friend's Motion for postponing the debate, and thought it would be better to allow the House to go into a Committee. A stranger who had heard the speech only of his hon. friend might have supposed that his right hon. friend, the Secretary for Ireland, had to propose only measures of coercion and severity, and that they were not accompanied by any propositions for relief. He did not know what those measures were, but he thought it most desirable to postpone the discussion till they got into the Committee. If the Committee adopted the suggestion of his right hon. friend, they might hear the proposition of Government. He would not go into the quesion; he merely wished to throw out the suggestion, that his hon. friend's Amendment did not seem to him so well adapted to attain his own object as the original proposition of his right hon. friend.

Mr. *Maurice O'Connell* was surprised at the innocence of the noble Lord with respect to the question of tithes, and his ignorance of the intended propositions of his Majesty's Government. Was there a single Irish Member in the House who was ignorant of the measures the right hon. Gentleman meant to propose? Certainly not; nor could the noble Lord be ignorant of their objects. He could not suffer this—he would not call it humbug, but the—veil which was attempted to be thrown over the movements of the House. There was not, he was sure, an Irish Member in the House who did uot feel with him in this respect; and, whatever might be the skill of the practised debater which had been used on the present occasion, he should think the right hon. Gentleman, the Secretary for Ireland, would have discharged his duty much better to the House and to the country, if he had come forward at once with the statement of the proposed measures, and thus have given all parties an opportunity of knowing distinctly what they were to be. However, he was aware (and so he believed was every Member of the House) that, in the first place, a measure of remuneration to the Protestant clergy was to be proposed, and, in the next place, a measure for the recovery of the arrears of tithes. In both these he considered no man could hesitate to acquiesce; the latter point involved vested rights, and he, as a Catholic, was ready to stand up for them. But in the proposition of the Government there were ulterior views involved. The real object was to establish other and severe measures of coercion. In Ireland the arm of the law was already felt sufficiently strong and powerful, and he could not see the necessity at this moment of giving to the Government any extraordinary power. Indeed, last year, when the country was in a state almost of civil war, the Government had neither solicited nor sought for increased power, and he could not think an additional power was wanted at the present time, when the country was in a state of armed neutrality. The propositions of the hon. Gentleman could now lead to no satisfactory conclusion. He thought the information was not yet sufficient to adopt any measures, and he should support the Amendment.

Sir *Robert Peel* suggested that there would be a great advantage in separating their views as to the order of proceeding, and as to the discussion of the principles of the proposition to be submitted by the Government. There was at present a mixed discussion of two questions, and till they were separated, they could reach no satisfactory conclusion. The hon. Gentleman who moved the Amendment, thought it would be better if his Majesty's Government would come forward with a distinct proposition. In his opinion, it would be more satisfactory if his Majesty's Government were enabled to state its proposition in Committee, and for the House to dispose of it on its own merit, and avoid all discussion as to the form of proceedings. The question was, what course was most conformable to the usage and practice of the House; and in offering his opinion on that, he gave no opinion on the merit of the propositions to be submitted to the Committee. Reserving his opinion on them till the proper time came when they were proposed by the Government, he must say, that the course proposed by the Government was most conformable to the usages of the House. It was supposed that one part of these propositions was to vote money for the support of the clergy. If that were the case—as it was impossible that his Majesty's Government could make any proposition of that kind, except in Committee—it surely would be inconvenient to discuss one part of the proposition in Committee, and the other part while the Speaker was in the Chair. There was also a Standing Order of the House—an order to provide a security against any sudden change in the religious establishments of the country, that no business relating to religion, or to the laws concerning religion, should ever be brought before the House till after it had been considered in Committee and agreed to. He did not say, that the propositions of the Government related precisely to religion, yet they were so connected with it, that it might be doubted whether it ought not first to be considered in Committee. Besides, going into a Committee was an additional security against surprise. By assenting to the Speaker leaving the Chair, hon. Members pledged themselves to nothing; and though the Resolutions might be approved of in Committee, the House might reject them on bringing up the Report. It afforded, therefore, an additional opportunity for discussion, and he considered that both friends and foes might concur in the course proposed by the right hon. Gentleman. Going into the Committee was but a preliminary step; and only security against precipitate discussion.

Mr. *Sheil* said, the right hon. Baronet (Sir Robert Peel) had become the auxiliary of the Government. This did him credit, and afforded proof, if any was wanting, how much superior he was to the prejudices of party. He would not—he was above it—turn the Government round upon a point of form. A little reflection would convince him that the Irish Members were not unreasonable in the course they had adopted. They did not object to the Resolutions, like the noble Lord (Lord Milton); they had not sufficient sagacity to conjecture the course which the Government meant to take. They objected to the premature Report of which the Committee had been suddenly and abortively delivered. They thought that no legislation should be founded on this precocious document. Wait, they said, for the final Report. Therefore, they met the proposition of the Minister on the threshold, and said, "Do not act on a Report resting exclusively on evidence on one side." How stood the facts? First, the Government had injudiciously introduced the tithe system to the notice of Parliament. Reform was a labour sufficiently Herculean for their gigantic powers. Their next mistake was, the exclusion of Catholics from the Committee. This was unfortunate enough; but to give consummation to this calamitous proceeding, out of eighteen witnesses, they had examined only one Catholic witness, and then they produced their Report, and went on with their examination. It was as if the Jury were desired to retire on the closing of the plaintiff's case; they find their verdict, judgment (the Report) is pronounced, and then the defendant (Ireland) was requested to proceed with her case. Was this just—was this fair dealing? Was this pure, impartial British justice? Eight clergymen, four policemen, a Secretary to an Ecclesiastical Commission, a Registrar to an Ecclesiastical Court, had been examined, and on such evidence a Report, recommending coercion to the people, and largesses to the clergy, was produced. This was monstrous. If the Committee had confined themselves to the recommendation of charity to the clergy, the Irish Members could not complain; but they came here with a purse of gold for the Church, and a rod of iron for the people. But since you are so strict in investigating the offences of the one, what are the merits of the other? The evidence proves that the clergy have ministered to the excitement. Look at the evidence of Mr. Langrishe (a name familiar to the readers of Edmund Burke); he tells you that Dr. Hamilton of Knocktopher (the scene of sanguinary disturbance) refused a just composition, and refused twice to produce his books in order to enable a just estimate of his profits to be made. Dr. Butler hints that he is a starving exile; yet he admits that, for thirty-six years, he has received 2,000*l.* a-year. He has fourteen parishes, with scarcely a single Protestant. This splendid sinecurist—he may be a good man—has got 60,000*l.*; and he is one of the objects of eleemosynary commiseration to the Committee. There is evidence that, by a pious fraud, the clergy have availed themselves of the change of currency. Mr. Dwyer states, that the people are the victims of the most horrible oppression. Will you relieve the Church, and give no aid to the people? But you are to raise the arrears. Mr. Langrishe, a clergyman, tells you that you cannot raise them. The thing is to raise the arrears. The Lord Lieutenant (the gallant and high-minded Anglesey) is to be turned into a Tithe-Proctor-General of the Church. You are to shift the odium of tithes from the clergy, who are to receive the benefit, to the executive, which is to reap all the detestation. There will be cause, and cross-cause, in the Civil-Bill Court; we shall have the King versus the People; and in the tribunal of public opinion you will have the People versus the King. Infatuated men, what are you doing? Look before you—you are walking blindfold upon the brink of a gulph. You will exasperate Ireland; you will array the nation against you; then will come a general election in November; Reform will have thrown the close boroughs open; the democracy will have become gigantic; then will the people have their revenge. The poisoned chalice will, in just retribution, return to your own lips. It is your turn this Session, but it will be ours the next. What are you doing? Succouring a clergy, from which you expect nothing—affronting and irritating a nation, from which you look for much—opening the boiling fountain of popular indignation—leaguing a nation against you by your threats of coercion. We have served and supported you, and stood by you in many an emergency, and have received your praise for our zeal, our vigilance, our devotion to your interests; but, alas! what can we do for you in the hurricane of popular passion, which you are about to raise? Our voices in your behalf will be like whispers in a tempest; our arms are not strong enough to swim against the tide that knows no returning ebb, and if we attempt it we shall be swept before it. Reform, an election in November, and Ireland exasperated for the sake of certain persons of the establishment! Awake—you are on a precipice, and you must be rudely shaken to raise you from your perilous slumbers. But I may be told that relief was offered. What relief? It is a mere mockery of the national understanding. Tithes are to be abolished. How? By providing for them a sepulchre from which they are to arise in an immortal resuscitation. Nay, I do not exaggerate. We are informed that tithes are to be abolished, and *uno flatu*, that the revenues of the Church are to be effectually secured on land. What does this mean? Is it not a palpable contradiction, or is it not as if a judgment creditor were to say, "Sir, this judgment of mine may be incommodious, and in order to accommodate you, I shall oblige you by taking a mortgage, or, if you prefer it, a slice of your estate?" Is it not so? Do you call this relief? Relief! Pray content yourselves with a violation of our rights, and do not offer an insult to our ordinary sense. It is better to speak out at once. The collection of tithes is not the question—the amount of tithes is not the question—John Hampden was sent to gaol for 20*s.*—but the question is, shall the tithes be otherwise appropriated? I tell you that a deep conviction has seized hold of the nation's faculties, and taken possession of its entire heart, that Church property is the nation's property. It is idle to tell the people that it rests on the same right as private property, and that an inroad upon one will afford a precedent for an invasion of the other. This is mere phrase—gainless and empty apothegms—with which we are not to be caught. I'll tell you how matters stand. The Irish nation look back to their history, and they find tithes originally divided into four parts, of which one-fourth was given to the poor, and another fourth was given to the priest of the poor. They find the Protestant gentry and aristocracy leagued in 1735 against the tithe of agistment, and pronouncing their parliamentary anathemas against all those who should, in violation of their ordinances, dare to pay it—they see the Statesmen of their House of Commons (for once they had a House of Commons) the best and most enlightened Irishmen, confederated against tithes —they behold the pinnacles of the establishment shivered by the lightnings of Grattan's eloquence—they look round Europe, and they see tithes everywhere abolished—in France, in Belgium, in Holland, in Sweden, in Norway, in Denmark, in Prussia, in Tuscany, in Scotland—they see in Scotland a poor Church in a rich country, and in Ireland a rich Church amidst a starving people; and with these facts before them, and with the recollection fresh and vivid of what they have themselves achieved—conscious of what was effected by a virtuous organization—knowing that here they had a body of firm and dauntless advocates of their rights, they have arrived at the determination to put to these hideous abuses, these enormous anomalies, an immediate end. This may not be—I perceive it is not—relished by either party; but it is the truth. To both parties I fearlessly address myself; conservatists and resumers, I speak to both of you; you that are the prompt auxiliaries of the Government in every project of coercion; you that are to have none of the responsibility, are to reap all the advantage. You that would fain help the Ministers to their ruin, think a little, and look back to the year 1829. What did your great Captain do—he who was pledged almost from childhood against Emancipation—he who had declared that Ireland ought to be re-conquered—he who left his proxy against Ireland when he went forth to fight those battles in which English victory was achieved with Irish blood—he was the first to offer homage to the will of an united people, and after having called on England to throw away the scabbard, was the first to implore her to put by the sword. Wherefore do I mention this? to ask of you (for Tories, I speak to you) whether you think that the Whigs ought after emancipation to act on the principle on which you did not dare to act before it? Reformers, I turn from your antagonists to you. Do you imagine that your principles do not extend beyond a Reform in the House of Commons? What course did you pursue in the conduct of this great proceeding? Did you appoint a Committee? Did you refer schedule A to the right hon. member for Tamworth? Did you name a Committee formed of all parties (this is the phrase) to inquire into the state of the boroughs of England, and the constitution of the House of Commons, and to "report their observations thereon?" No—you saw that hesitation for a moment would be ruin for ever—you grasped at the irrevocable occasion, and you seized and held it. "We must content the English people." This was your answer to every objection. If it was urged that the Lord Chancellor had digested a very different plan of Reform, you replied and well and nobly, it is too late—we must content the English people. If it was said, that Lord John Russell's book was at variance with Lord John Russell's Bill, still you answered, we must content the people of England. If it was said, that the Representatives of the colonies would be excluded—that the avenues by which Pitt and Fox and Burke had obtained admission to this House, would be closed against genius—that the present system had saved the country at the Revolution, and had been concomitant with its glory since—still you well and wisely answered, we must conform to the great change and transition which has taken place, and must content the people; and if this be true, as it beyond all doubt is true; if you find it necessary to content the English people, by a Reform in the Parliament, is it perfectly unnecessary, is it matter for consideration, scepticism, and Cabinet debates, whether you must not content the Irish people upon the Church? Take warning in time —what is your policy? You have got up a race between legislation and events; an incident happens, straight comes an Act of Parliament; another incident arrives, behold a Committee, and another Act of Parliament; thus you go on, running a race with events, and events are sure to win it. Awake, for God's sake, to a sense of the condition of Ireland; embrace her evils in one large and comprehensive system of immediate amelioration; let us not have (to use a phrase of such powerful homeliness, uttered with such a pregnant familiarity, by lips so touched with fire)—let us not have "a bit-and-bit Reform," lay not that unction to your souls—do not burn that incense which self-adulation offers to itself, or hope conceives, nor so far delude yourselves as to think that, by dallying with the evils of Ireland, by procrastinations, and putting off, and sometimes giving buffets, and sometimes offering caresses to Ireland, you can effect her tranquillization, or, I should rather say, that you can save the country. For it has come to this pass; and it is not I alone that tell you this; events—those tongueless, but eloquent monitors—call on you, as they pass, to throw your prejudices aside, to legislate, not on the views of party, but on the principles of human nature, and from the calamities that impend over us, to rescue that country, which, under all changes of Government, and all vicissitudes of party, appears to have been pre-disposed to distraction, and pre-destined to misrule.

Mr. *Wallace* objected to the course proposed by the right hon. Secretary, because it was impossible for the House to know what ulterior measures were in contemplation, or what it was the Committee were to be called on to accede to. In fair dealing, and according to the precedents set by former Governments, the right hon. Gentleman was bound to let the House know for what reason it was to go into a Committee of the whole House on a part of a question which was still under the consideration of a Special Committee. He would put it, indeed, to the right hon. Gentleman, whether it was right that they should go into that Committee without knowing what they were to be pledged to by assenting to such a course? There was, indeed, enough in the history of the practice of the House on former occasions, to demonstrate that the right hon. Gentleman was not warranted in calling on them to go into a Committee without some explanation. The Government had committed a mistake, but it was not the first they had been guilty of in connection with the question. They had, as it was rightly observed by the right hon. Baronet, the member for Tamworth, been guilty of an error in alluding to the subject in the Speech from the Throne, without being prepared with some specific proposition to submit to the immediate consideration of Parliament. The next mistake that they had fallen into was the appointment of a Committee which, although composed of men of the highest capacity and undoubted worth and honour, did not include a single Catholic—a single member of that religious party which was so deeply interested in the result of their inquiries. The members of the Committee were at the same time men so devotedly attached to the Constitution in Church and State, as it stood—the majority of them were so thoroughly convinced that the property of the Church was as inalienable as any other property in the State, that their recommendations could not be looked on with confidence or satisfaction by the people of Ireland. The right hon. Gentleman had made out no case for the House to go into a Committee, nor had he given the House any explanation as to the nature of the measures which he intended to call on that Committee to approve. But if it was the intention of the right hon. Gentleman to propose Resolutions which should be made the foundation of coercive measures, without at the same time recommending the removal of the grievances which oppressed the Irish people, he would oppose such Resolutions, because the compact would be broken by which the Ministers had pledged themselves that they would adopt no measure of coercion unaccompanied by measures of remedy and conciliation. He could not have supposed that, after the Ministers had so pledged themselves, they would have come down that night with a proposition for going into Committee, not for the remedy of grievances, but solely to pledge the House to a measure of coercion. Amongst the witnesses examined by the Committee, whose Report had been laid upon the Table, was the reverend Dr. Doyle; and that gentleman, than whom there was no man who brought to the consideration of the question greater ability, a more honest judgment, or more accurate knowledge of the condition and of the feelings of the people of Ireland, said, in reference to the resistance of tithes, that he would rather give up his last table, his last chair, or even his life, than pay tithes. Such was the opinion of that gentleman. But, he added, that the resistance which he would offer to their payment would be passive, not active; and that the people for the most part would offer none other than passive resistance. Was the testimony of that gentleman of no value? and was it fit that it should be withheld from the House? Was it fit that they should be called on to legislate on so important a subject when they had before them no part of the evidence that had been taken respecting it? Would the House go into a Committee whilst it was in the dark as to the measures which the right hon. Gentleman meant to submit to it, and as to the evidence upon which those measures were to be founded? The only means which the House at present possessed of forming an opinion as to the intended propositions of the right hon. Gentleman were furnished by the Report of the Committee; and to judge of them from that, he (Mr. Wallace) would say, that evils incalculable might follow from the course which the right hon. Gentleman was taking. He apprehended that there was in the Report an exact specification of the measures which he (Mr. Stanley) intended to propose. He apprehended that it was intended to give the clergy a remedy against the persons of those who neglected or refused to pay tithes, and to give that remedy, not according to the usual form of the law, but by a summary process, upon the affidavit of the clergyman claiming the tithe, or that of the tithe proctor.

Mr. *Stanley* reminded the hon. and learned Gentleman that he was somewhat irregular in going into the discussion of a question which was not before the House. Besides, the hon. and learned Gentleman was stating as the measure of the Government that which was not their measure.

Mr. *Wallace* thanked the right hon. Gentleman for having set him right. But if the right hon. Gentleman had followed the usual course in moving for the Committee, of stating what were the intentions of the Government he should not have fallen into an error. He was compelled to argue without documents, which ought to have been before the House when the right hon. Gentleman made his Motion. But, in the absence of the information which he ought to have, he should be satisfied to hear a statement of the right hon. Gentleman's measure. If the right hon. Gentleman would make the statement, he (Mr. Wallace) would sit down cheerfully to hear it. From all the information which he possessed, he must infer that it was the intention of the Government to act upon the recommendation of their legal advisers in Ireland, who in their evidence before the Committee, had stated that it was necessary to give the clergy a personal remedy against those who refused to pay tithes.

Mr. *Henry Grattan* regretted that he was obliged to oppose his Majesty's Ministers on the question before the House. But they were wrong in going into the Committee, without having first given the House an intimation of the measures which they would propose; and they were still more wrong in the measures, which, it was to be supposed from the only information before the House, they intended to adopt. He objected altogether to the recommendations of the Committee in their Report. He objected to the summary remedy which they proposed to give to the clergy against those who owed tithe, and he objected to the plan which they proposed to substitute for the present system of tithes. He was sure that such a plan would give no satisfaction to the people of Ireland, and he, for his part, would support no plan less effectual than that of his noble friend, the member for Armagh. There never was a Report—even in the times when the most virulent party spirit raged, and the most virulent party had power—there never was a Report returned to the House more pregnant with mischief than that of the last Tithe Committee. The gracious Speech of his Majesty at the opening of the Session recommended the removal of grievances; and how was that recommendation followed up? By a Report which recommended that the law of the land should be superseded; and that a process as arbitrary as that of martial law should be substituted in its stead. The Motion which the right hon. Gentleman had made was a deceitful one. He wished to get the House into Committee for the purpose of compelling hon. Members to agree to the measures which he proposed; but he would not go into Committee, he would say as Falstaff said to his ragged regiment, "I'll not march through Coventry with you that's flat." He would not join the right hon. Gentleman in imitating Falstaff's followers by stripping the hedges of the shifts and shirts of the unfortunate peasantry. If the right hon. Gentleman referred to the Acts of the Irish Parliament of 1786, 1787, and 1799, he would find no precedent for this measure. Were not fifty-five Acts of Parliament sufficient for the protection of the Church? The people of Ireland were willing to support the clergy, but that did not mean the present incumbents. The people looked back to first principles, and they found that the revenues of the Church were intended as a public trust. They found that the money was given for four objects, the support of the poor, the Churches, the Bishops, and the clergy in general. These objects were not attended to when a poor incumbent was receiving his 60*l*. or 70*l*. a-year, and a Bishop was living luxuriously upon 10,000*l*. or 12,000*l*. a-year. It would be impossible for hon. Members to face their constituents if they should agree to the measures which the right hon. Gentleman meant to propose. The people felt that Ireland was not treated fairly, and that her interests were not attended to. The ordinary forms of law were to exist in England, but in Ireland they were to be abrogated. The Members of that House deceived themselves if they imagined the people of Ireland would much longer endure the system of Government under which they had suffered so long. The Irish people would no longer look to men, they would look only to measures. They would not care whether the right hon. member for Tamworth, or his right hon. friend were in office; it was only their acts which they would look to. They had lost all regard for party. Ireland had been subjected to misrule for centuries. A variety of shameful Acts of Parliament had been enacted for Ireland, which some of the most eminent English writers had said to be more fitting for Barbary than a part of the British empire. The Government called upon the landlords to tax themselves, and, in point of fact, to become tithe-proctors, for the parsons. It was most unjust that the landlords should be made the collectors of a tax for the support of the parochial clergy only, and not for the original purposes of tithes, the support of the poor, the Church, the Bishop, and the incumbent. No benefit whatever would arise from pursuing the present course. The right hon. Gentleman had adopted his opinions in consequence of the statements of mistaken men who were interested in inducing the Government to exert all their power to keep up the present system of tithes. He should not have addressed the House at such length on this occasion, had he not been impelled by a sense of public duty. Ireland complained that the spirit of the English law was departed from in this abominable system. Shortly after the acknowledgment of the independence of the United States, the Congress of that country passed a law which was worthy of them as a free people. And here he might, perhaps, observe with propriety, that the colonies separated from the mother country because it was attempted to govern them in a manner opposed to the spirit of British laws. The Act of the American Congress of 1786, said, that the endeavouring to make a man contribute money to the propagation of opinions which he believed to be erroneous, was sinful and tyrannical. In the opinion here expressed he cordially concurred, and the time, he trusted, was not very distant when this principle would be acted upon. He would call upon the right hon. Secretary to pause before he went into the Committee and proposed his Resolution, as he would do irreparable injury by such a course. He trusted that the House would refuse to go into Committee on these Resolutions, which were alike injurious to Ireland, to England, and to the Sovereign on the Throne. There never would be peace in Ireland until the people of that country were put on a footing of equality with the other parts of the empire. He would only add that, as an Irishman, he would never cease to raise his voice in the language of complaint until this was granted.

Lord *Ebrington* would not follow the hon. Gentleman who last addressed the House through the whole range of his observations; but, as a member of the Committee, he felt called upon to state the grounds upon which he had agreed to the Report which had been presented to the House. Before he proceeded to do so, he wished to state, that in one observation only of his hon. friend below him (Mr. Brownlow) he entirely concurred; that was, respecting the unfortunte anomaly which the Church of Ireland presented. He should not think any plan could lead to a final settlement of the question, which attempted to exclude the consideration of a thorough Reform of the Church of Ireland. When he saw the clergy of that Church receiving salaries so disproportioned to the number of Protestants under their care; and when he saw that those salaries were paid chiefly by Roman Catholics, he looked upon the system as pregnant with injury to the cause of religion. He protested, therefore, against the number of the clergy being so disproportioned to their congregations; and he should be glad to see some more just distribution of the revenues of the Church, such as would afford a more adequate provision for the working clergy; and he should also be glad to see a state of things in which no part of the revenues of the Church should be diverted from the use of the Church. He could think no settlement of the existing complaints satisfactory, which, with a due regard to all existing interests—for God forbid that they should attempt to strip any man of that which of right belonged to him—did not contemplate the reduction of the Church of Ireland to a condition better proportioned to the wants of the Protestant inhabitants. But, independently of the many obstructions which stood in the way of any immediate arrangement for those so desirable ends, he thought that such an arrangement did not come within the province of the Select Committee. It certainly was not the wish of the Committee that any part of the revenue at present belonging to the Church should go into the pockets of the landlords; and he would ask the Gentlemen in that House who were connected with Ireland, whether it was not the wish of a great proportion of those who encouraged the present resistance to tithes, to appropriate the amount to themselves? Now his hon. friend, the member for Armagh, had admitted that the Protestant clergy in Ireland were placed in a situation of great difficulty and distress, and even of danger; and under those circumstances it was not too much that the Committee should have recommended a law to enable them to recover so much of the tithes now due to them, as the Attorney General for Ireland should think to be necessary for their support. If his Majesty's Ministers had shown any disposition to adopt coercive measures, without substituting for the tithe system some other less vexatious, he would not have given them his support. But he had done so, in a confident hope that it would not be necessary to use any new powers that should be given; but that liberal inducements would be held out to the people to pay the tithes now in arrear, without the necessity, on the part of the Government, of having recourse to any severities. It was with that view he had agreed to the Report of the Committee. Under all the circumstances, he did not think that Ministers would have done their duty, if they had not pledged themselves to measures of conciliation and relief at the same time that they called for powers to put down the combination.

Lord *Althorp* did not rise to enter into a discussion of the question before the House, but to invite back the attention of hon. Members to the real merits of that question. His right hon. friend (Mr. Stanley) merely asked the House to go into Committee, so as to afford him an opportunity of stating the object of Ministers with respect to the Report of the tithe Committee, and yet hon. Members expressed in very strong language their views of this object without waiting to hear it stated. This, he could take upon him to say, was not the ordinary course pursued by hon. Members in that House; it was customary to hear what were the propositions to be discussed before opinions were promulgated on their merits. And what were the arguments against his right hon. friend's Motion? The most extraordinary was that which some Gentlemen had made as to the effect of going into Committee. Some Gentlemen said, that, by consenting to the Committee they would pledge themselves to concur in the propositions which his right hon. friend (Mr. Stanley) had to submit. There was no reason to suppose any such thing. It had also been said, that it was the usual course, in asking for a Committee, to state the resolutions which it was intended to propose. That also he denied. It was true, that, when a Committee of the whole House was moved for, respecting the Catholic claims, the Gentleman who made the Motion explained his views at the same time. But there was no analogy between the two cases; for, on the Catholic question a large proportion of the Members of that House were strongly opposed to any alteration in the laws affecting the Roman Catholics, and it was, therefore, necessary for the Government who applied for the Committee to convince the House that some alteration was expedient. But, in the present case the Gentlemen who opposed the Motion for a Committee of the whole House were the very persons who most insisted on the necessity of an alteration. They were the last persons, he should have thought, who would object to the form and course of proceeding. But there was another objection, which he considered to have much more weight. That was, that the House ought not to proceed without further information than it at present possessed. That was an argument which he thought it was his duty to meet. Now, what was the objection to the present information? First, that it was *ex parte*: that the Committee had examined only one side, and that the persons examined were connected with the Established Church. But he thought that the information received from those persons was sufficient to induce Ministers to submit to a Committee of the whole House, some propositions for a change of the present system; and that the information ought to be so far satisfactory to the advocates of a change. It had been proved that the clergy were in the greatest distress, and that there was the greatest difficulty in collecting tithes; that a combination to resist the payment of tithes existed in one part of Ireland, and was spreading over the whole country; and that, if a change did not take place, the payment of the revenues of the clergy would cease throughout Ireland. It was proved, therefore, that the state of things was such as to make a change of system necessary. With such information before them, the Committee only did their duty in immediately calling the attention of Parliament to the state of Ireland, particularly to the situation of the Protestant clergy, who were deprived of their income by a combination against tithes, which was hourly spreading over the country, and called for an immediate remedy. It was the imperative duty of that House promptly to attend to the call of the Committee, and to adopt such immediate measures, and effect such a change in the tithe system, as might appear just and necessary. If one part of the Report pointed out a case of urgent necessity calling for an immediate remedy, and another pointed towards a measure of change, which necessarily must require time for its accomplishment, was it, he asked, consistent with common sense, to keep back the measure of urgent necessity till that which required time should be completed? It was the duty of the House, as it was certainly the duty of Ministers, indeed both would be acting inconsistently with honour and duty if they did not promptly apply themselves to affording a remedy to the urgent grievance, whilst they devoted their best attention to preventing a recurrence of the causes of that grievance. This was all that Ministers proposed in the present instance, which was merely a fulfilment of what he had stated on a former occasion, namely, that a measure coercively asserting the authority of the law should not be had recourse to, without a pledge of an efficient remedy for the evil effects of the tithe system in Ireland, which had led to that state of things which called for this extraordinary measure. He had not risen to follow the hon. Gentlemen who opposed the Committee through all their arguments respecting the general question, but only to state the reasons wherefore he thought that the House ought to go into Committee.

Mr. *Leader* said, if the right hon. Gentleman the Secretary for Ireland, had deemed it expedient to have pursued the course which the noble Lord, the Chancellor of the Exchequer, had just adopted, and, if a strait forward and generous confidence in his political friends who represented the popular interest in Ireland, and in the full confidence of the wisdom and justice of the measures he was about to introduce, had prefaced his Motion for a Committee of the whole House to consider the subject of tithes in Ireland, by a full disclosure of the remedy he proposed for the long-endured and now intolerable grievances of that country, it was more than probable that a protracted debate might have been avoided, and, at all events, a division on the subject rendered unnecessary. The line of conduct which the right hon. Gentleman had thought proper to pursue, on one of the greatest questions which could engage the attention of the Representatives of Ireland, had been attended with considerable embarrassment to those Representatives who had to this hour been the steady and undeviating supporters of all the Ministerial measures of liberal policy. Would any English Gentleman contend, that if it was expedient to move for a Committee on a subject involving the tranquillity, the prosperity, and possibly the existence of the institutions of his country, the measures proposed to be introduced in that Committee ought not to be fairly developed and fully discussed before the motion for going into that Committee was submitted to the House? He admitted that, in common with those Representatives from Ireland who had supported Ministers, he was apprised of the nature and import of the resolutions which it was probable the right hon. Gentleman might deem it his duty to propose; but, as it had been the unanimous opinion of those who objected to any part of the preliminary Report, that the manly and candid course was, to make their objection *in limine*, and enter upon the discussion in the first steps proposed to be taken, he was compelled to imitate the example of his hon. friend, the member for Armagh, and give his best support to the Amendment which he had introduced to the notice of the House with so much eloquence and ability. In the many debates which had taken place on motions for a Committee of the whole House to consider the state of the nation, or other great questions of national or imperial policy, he had always seen those motions prefaced by statements fully explanatory of the object for which the Committee was proposed to be appointed; and as long as he had the honour of a seat in that House, he should feel an ardent and earnest desire to see observed the same courtesy and the same attention to the old and established usages of Parliament, on questions which involved the deepest interest of Ireland, as every English or Scotch Representative would expect to be pursued in the instance of Great Britain. Under these circumstances, it was his bounden duty to declare, that the evidence which was affixed to the preliminary Report was of too imperfect a description to warrant any measure but an immediate remedial measure for a change in the tithe system in Ireland. As one of the tithe Committee, he was under the impression that the preliminary Report was never intended as a measure on which any legislative proceeding was intended to be founded. He considered it as a measure intended to demonstrate to the House and the public the zeal and the diligence of the Committee, and, even in the Committee, it had occurred to him that the evidence was not sufficient to report the necessity of any pecuniary advance being made to the Protestant clergy, or, at all events, accompanied by laws of unusual, and probably unprecedented, severity, to enforce the recovery of arrears of tithe and composition rent in the disturbed districts. The first ground on which he would rest his opposition to the going into the Committee was, the inadequacy of the evidence. The right hon. the Secretary for Ireland having thought proper to decline prefacing his Motion for a Committee, by the full developement of the measures he proposed to bring forward, he was driven to the necessity of supporting the Amendment. In the first place, he begged to call the attention of the House to the Report of the Committee. Could it be denied that nearly one-half of the Report was taken up in the statement of an organized and systematic opposition to the payment of tithes in Ireland, and the description of the dioceses and districts in which the resistance had principally occurred, and the great probability of its extending itself to other districts? He admitted that so much of the case had been fully made out, and that there had been abundant evidence leading to the conclusion that, without a change involving a complete extinction of tithes, including those of lay impropriators, by commuting them for a charge on land, or an exchange for, or an investment on land, there was no prospect of tranquillity in Ireland. With these observations his admissions, as one of the Tithe Committee, ended. He contended that, before any Report was made, the entire property of the Church in land and tithe, and the just appropriation of it ought to be inquired into; and he had earnestly insisted, in that Committee, that although strong cases of individual distress amongst the clergy were satisfactorily established, still there was no evidence of such widely extended distress as made it necessary that the immediate relief of the Protestant clergy, and the enactment of new, extraordinary, and unprecedented laws to enforce payment of the arrears of tithes, should be made the prominent object in the Report. He felt fully satisfied that the evidence on the impossibility of the present tithe system continuing in Ireland was so clear, and the Reports of the Tithe Committee, as to the necessity of a change of the entire system so decided, that there was no reason why they should go into a Committee of the whole House on these two topics. But when he proceeded to the other heads of the Report—the expediency of opening the Treasury for the relief of the Church, and of converting the King's Attorney General, by Act of Parliament, into a tithe agent for the clergy, he asserted that the evidence on these topics was by no means of so satisfactory a nature as that the House could come to a just conclusion without much further evidence than that which was contained in the preparatory Report. As one of the Representatives of the district alleged to be most disturbed—the diocese of Ossory—it was his duty to look with a scrutinizing eye, not only to the sufferings of the occupying tenants and tithe payers, in which he most deeply sympathised, but also to the alleged deplorable and intolerable distress of the Protestant clergy, by the illegal withholding of one year of their income. To establish his view of the case, he prayed the particular attention of the House to facts which, in the precipitancy for a Committee, Ministers appeared to have entirely overlooked. As far as had transpired in the Tithe Committee, it appeared that the districts in which the resistance to tithes had assumed the most inveterate and determined character, were the dioceses of Ossory, Leighlin, Cashel, and Emly; and that, in the dioceses of Ferns and Kildare, there had been also some small deficiency in the payment to the Protestant clergy. It appeared, by the Report of the Lords Committee, that the estimates of the aggregate amount of the arrears due to the several incumbents was—

OSSORY.		
In compounded parishes ..	£.14,345	
Uncompounded ditto ..	10,130	
		24,475
LEIGHLIN.		
In compounded parishes ..	18,092	
Uncompounded ditto ..	2,760	
		20,852
CASHEL AND EMLY.		
In 113 compounded parishes	23,490	
In 25 Uncompounded ditto	4,197	
		27,687
FERNS (supposed)		7,000
KILDARE (supposed)		5,000
Total		£.85,014

If he understood the case, this was the amount of the arrears of tithe due to the clergy of these disturbed dioceses, for which it was intended to grant pecuniary relief; and it had been stated, he believed, by the right hon. the Secretary for Ireland, that it was probable that 30,000*l.* would be sufficient as an advance for the sum due in those dioceses for 1831. Had it been reported by the Committee, that the diocese of Ossory consisted of 138 parishes, and that, of these, ninety-nine were divided in unions among twenty-one distressed incumbents? Had it been reported, that the diocese of Leighlin consisted of eighty-four parishes, and that, of these, thirty-three parishes were divided in unions amongst nine suffering and reduced incumbents? Had it been reported, that the diocese of Cashel consisted of ninety-nine parishes, and that, of these, sixty-three were divided in unions among thirteen starving and disconsolate incumbents? Had it been reported, that the diocese of Emly consisted of fifty-three parishes, and that, of these, thirty-three were divided in unions among seven ruined and impoverished incumbents—making a total of 374 parishes in the four dioceses, 228 of which were divided in unions among fifty incumbents? If these were facts, and if those reverend divines had, some of them, been in possession of fourteen parishes, others of nine, seven, six, and some five parishes—would any hon. Gentleman say, that the interruption of one year's payment of tithe could cause this devastating ruin amongst the Protestant clergy, who, in tithe property alone had probably 800,000*l.* per annum, and who, through the other provinces of Ireland, were never better paid? He did not mean to contend that, in those dioceses, there was no individual distress; nor did he presume to deny the illegality of the resistance to the payment of tithes; but the inference which he drew from the fact, that, out of 374 parishes in the four most disturbed dioceses in Ireland, there were 228 parishes held by fifty clergymen was, that the Protestant clergy, from their immense unions, their limited number, and from the large sums they derived from these unions, could not be in that distress which, for the purpose of silencing the prayers of the most oppressed and impoverished tenantry in the world, was blazoned forth in party papers, and at public meetings. He begged that it might not for a moment be supposed that he was adverse to a pecuniary advance to relieve the wants of any Protestant clergyman: but he was adverse to the Government and the Committee—ignorant of the state of Ireland—going further than the condemned Parliament of Ireland, under the guidance of Lord Clare and a Tory Government, after a frightful and devastating rebellion, which, through the years 1797 and 1798, shook the whole frame of society, and plunged the country in anarchy and blood. In 1800, when a measure for the relief of the clergy was brought forward, it was admitted by all parties in Ireland that proctors were murdered, tithe securities and tithe books destroyed, process-servers cruelly and scandalously persecuted, and every vestige of evidence, which could lead to the enforcement of the payment of arrears of tithes, sought for and destroyed in every part of Ireland; and the Protestant clergy were not only reduced to the greatest distress, but were without any lien on the land, and without any evidence to enable them to recover the arrear of tithe. Did Lord Clare propose, or did the Irish Parliament, at his suggestion, invite, the Protestant clergy to the Irish Treasury, and open the purse of the people for the arrears of tithe due to the Protestant Church. Did Lord Clare, or any Irish Minister in those awful times, besides opening the Treasury, propose to convert the Attorney General of Ireland into a tithe-agent and collector for the clergy, or a plaintiff in their suits; or entertain, for a single moment, the monstrous and novel measure of interposing the law-officer of the Crown as the plaintiff, in every cause which the clergy found it necessary to commence any legal proceedings? In the Acts of Parliament passed after the rebellion of 1798, powers were given to the clergy to proceed by petition in the Courts of Chancery and Exchequer in Ireland; and those Courts were empowered, in cases in which it appeared that a valuation of tithes could not be made in 1797 or 1798, or in cases where evidence of valuation was destroyed, to assume the average of the three preceding years to be sufficient evidence of value; and, in those cases, the Courts were empowered to refer the cases to their officers; and after debt proved, to issue injunctions against the goods or persons of defendants. It was true that, under the Act of the Irish Parliament passed after a general rebellion, the clergy were aided with new legal power, but still they were left to superintend the conduct of their own suits, and were not armed with all the powers of the Attorney General. Was the House prepared, after hearing these facts, to say there was sufficient evidence stated in the Report to go now into a Committee of the whole House, to open the Treasury to the Protestant clergy, and convert the King's Attorney General into a tithe-agent for the Protestant Church? Was it not a question of most grave and serious consideration, whether the Government ought to place itself in the situation of a plaintiff against each individual in 374 parishes, and encounter the legal and inevitable hostility of the immense population of occupiers and tithe-payers in these extensive and populous parishes? Was it expedient, for the Government to assume this new character and position? Would it be contended that it was not infinitely more judicious and wise to leave every Churchman to assert and prove his own claim, and then for Government to render him every assistance to put his judgment or decree into execution. Was it expedient to transfer to Government the odium and unpopularity of tithe exaction? Had not a considerable portion of evidence been given that, on account of the enormous expense in the superior Courts, the tithe-payer had little chance of resisting the clergyman? Would this expense be diminished when the Attorney General was the plaintiff? Would Attorneys General and their solicitors act in these causes without liberal allowance, and would not a severe increase of expense be occasioned to the already ruined and impoverished tithe-payers? No further evidence was requisite to show that the present tithe system must be entirely changed, but much further evidence was requisite to show that a grant of money to the clergy, and coercive measures of an alarming character were necessary to enforce the arrears of tithe for 1831 due to the Protestant clergy. He was fully convinced that the time was come when the abolition of the tithe system could no longer be delayed. The appropriation of the amount of tithe was the only thing to settle. In his opinion, that could be settled by Bill, without going into a Committee of the whole House, and, as to the measure of pecuniary relief to the clergy, and coercive laws for enforcing payment of arrears, further evidence was necessary, before the House could arrive at sound conclusions. The country might, by unwise and rigorous severity, be made a desert, the landlord might be ruined, the occupier starved, the clergy pauperized, and the King's Attorney General, and his train of solicitors, enriched; was that a wise, humane, or politic course for a liberal Government to pursue towards one of the most impoverished countries in the world, and under an excitement unparalleled in the history of Ireland? In his view of the question, it was wholly immaterial whether the combination against tithe was universal through Ireland, or was confined to a certain district, with the danger of extending to every part of the country. The resistance to tithe was no new disease—it was an inveterate and long-existing disease, deeply seated in the bosom of the community. The correction of that evil admitted of no delay; the remedy proposed would aggravate the evils, and being convinced that the evidence in its favour was quite inadequate to justify it, he considered it his duty to support the Amendment.

Sir *Henry Parnell* said, he never knew an instance of a proposition to go into Committee, upon any subject whatever, without the individual Member who made the proposition for going into Committee coming forward, and explicitly stating the grounds upon which he called upon the

House to take that step, and, at the same time, fully developing to the House the plan which he meant to call upon them to pursue. That was the course of proceeding adopted upon the Catholic Question, and he recommended hon. Members to require it upon the present occasion; for, if they did not, they would lose an opportunity of stopping that which they conceived to be a bad measure. He was thoroughly convinced that the measure which, he had reason to suppose, would be brought forward was one which would prove michievous—nay, ruinous. Why, then, should they lose that opportunity of voting against it? It was in vain that they endeavoured to shut their eyes to the facts that stared them in the face. However nominally ignorant, they were not really ignorant of the plan of his Majesty's Government. He, for one, had heard the Resolutions which had been moved in another place; and if similar resolutions were adopted in that House, they would pledge the House to arming Government with increased power and authority, with the view of coercing the people of Ireland, and compelling them to pay tithes. He was not opposed to giving that relief to the clergy which their present condition demanded. There was no Irish Member who could be opposed to that part of the plan; but the mode of the re-payment to the Government—that was the real question. Now, he really thought that the means by which that object was proposed to be effected would not succeed. They had the most distinct proof in the evidence given before the Committee, that it could not succeed. To his knowledge that evidence was most correct. He entertained not the slightest doubt that it would not succeed; there was not one of the forty or fifty Irish Members who supported the Government would tell the right hon. Gentleman that the plan had the slightest chance of success. He would just ask the right hon. Gentleman—was there any one of his Irish supporters who gave him the slightest encouragement to proceed? The present was, indeed, a serious case, and one which could not be trifled with; and how did it stand? The right hon. Gentleman brought forward a measure for the relief of the Irish people, and every one of his Irish supporters in that House was opposed to it. He thought that that very fact of itself ought to satisfy the right hon. Gentleman that he had much better have waited until he could lay the whole Report and all the evidence upon the Table of the House.

Mr. *James Grattan* regretted the necessity of voting against his Majesty's Government, but if the present plan was to be persisted in, he should feel it his duty to offer to it every opposition in his power. The right hon. Gentleman seemed to think that his plan must succeed but he was undoubtedly going upon insufficient data. He was a Member of the Committee, and he had not the slightest difficulty in saying that there was nothing like sufficient evidence to support the case which the right hon. Gentleman thought essential to the success of his measure. No man could doubt that the clergy were entitled to the protection of the law, but it was equally certain that there was no sufficient evidence to entitle the clergy to that amount of parliamentary relief which it was understood would be proposed. Not that he objected to giving them relief; but he thought, that some means ought to be devised for obviating the necessity of applying to Parliament. Such an application, as a precedent, was fraught with danger: there was nothing that would satisfy the people of Ireland but a total change in the appropriation of the revenue derivable from tithe.

Mr. *Stanley*, looking at the time of night, felt that it would be impossible for him to do that which he should have wished to do, had he been permitted, namely—to lay before the House in one view the plans, intentions, and opinions of his Majesty's Government. The course of opposition which had been taken with respect to the present discussion, though it could not be called an unfair course, yet it placed his Majesty's Government, and him individually, more particularly, in a very embarrassing situation. He had not that night come forward to call their attention to the subject of tithes in Ireland, as though it were a matter which had never been brought under their consideration before. It came to them after repeated warnings—it came to them recommended by the Speech from the Throne—it came to them in conformity with the Address which that House had voted in reply to the Speech from the Throne—it came to them after their solemnly expressed determination to make it the subject of inquiry by a Select Committee, and, finally, it came to them after evidence received, by a Report made by that Committee. That Committee having considered the question referred to them, arrived at the conclusion, though they were not prepared to recommend the immediate adoption of any final measure, that sufficient evidence had been laid before them to warrant their coming to the House, laying before it such evidence has had been taken, and calling for such immediate steps as the exigency of the case seemed to require. Now, before Government adopted any particular course definitively, was it not proper that they should come before Parliament at the earliest possible moment, and not come forward pledged to any particular measure? The most striking part of the objection raised by those who supported the motion was this—that they found fault with Government for being too early in consulting Parliament; it was really the first time in all his parliamentary experience, that he had known hon. Members find fault with his Majesty's Government for taking Parliament into their councils. That was the real state of the case. Had they not called upon the House to go into an inquiry? And he would appeal to the Report of the Committee, to show whether or not they had grounds for at least taking some steps. Was the present a time in which they could wait and trifle? Were they to be met in a time like that with the announcement, that the executive authority had not power to enforce the law? He was prepared to admit that, as a permanent system, such a law ought not to be enforced; but, so long as it was the law, there could be no doubt that it ought to be obeyed. But they were told by certain Irish Members, that they ought to propose nothing, because they could carry no plan into execution in Ireland. Was it becoming—was it safe, to be influenced by such a threat? That Report, then on the Table of the House, was one which, while it held forth a prospect of relief, at the same time, suggested measures by which Government could maintain the authority of the law; but certain Irish Members met them at once with the reply, that they could not, in that country, enforce the execution of the law. That was a fatal announcement, not only for Ireland, but for the British empire. Those hon. Members in effect said to his Majesty's Government, you must not stir an inch in this matter, because you cannot command the execution of the law. That was an opinion, which, if it had any force at all, was equally stringent with respect to England or to Scotland. He entreated hon. Members to consider what that announcement led to. They were told they could not enforce the laws, for that the people would not obey them. Let the House, then, look to the legitimate conclusion of such a doctrine. Whenever an ignorant and oppressed people conceiving themselves insulted, and feeling themselves injured, being, at the same time inflamed by the agitating spirit of the times, ground down by real oppression, and excited by fancied wrongs—when such a people, so stimulated, had signified that they would not obey the law, were Members of that House to come forward and tell the Government they should do nothing, but sit still, and submit to a state of things so utterly unheard of? Were they to be told, that the people had resolved to set aside the law, and that, therefore, the Government must do nothing? Was that the counsel which the right hon. Baronet opposite thought proper to give them? Was that the conclusion at which the right hon. Baronet would have the House of Commons arrive? It was idle to suppose that the House did not possess all the information which was necessary for taking, at least, a preliminary step. There was not a Member of Parliament who had not had the Report in his hands—who had not the evidence delivered before the Committee. He confessed he could not easily account for the objections to going into a Committee, for, in his judgment, that mode of proceeding would give the fullest scope for discussion. It really did appear to him that some hon. Members endeavoured to suggest that he had some design of tricking the House. The whole extent of his parliamentary experience did not furnish him a single instance in which it had been held that going into Committee pledged the House to the proceedings that might be adopted there. He would ask the right hon. Baronet opposite, did his experience tell him, that Members who voted for a Committee were pledged to the principle of the measures to be proposed in that Committee?

Sir *Henry Parnell:* I said no such thing.

Mr. *Stanley:* I am glad that the right hon. Baronet disclaims that doctrine.

Sir *Henry Parnell:* I give no opinion on the subject.

Mr. *Stanley:* The right hon. Baronet will allow me to ask him, as a person of great parliamentary experience, whether, in his opinion, the persons who vote for going into a Committee on a particular question, are thereby pledged to the decision of that question?

Sir *Henry Parnell:* Under such circumstances, I should feel myself to be pledged to the principle of the measure.

Mr. *Stanley:* Then the hon. Baronet, and those who resisted the present Motion, did so on the ground that it pledged them to the principle of taking into consideration the question of tithes in Ireland; but the House had already acted upon that principle, and not only that, but the right hon. Baronet had himself declared his full concurrence in the leading feature of the proposed resolutions, namely, relief to the parochial clergy. The right hon. Baronet, who seemed to be well informed as to the intentions of Government, from whatever quarter he got his information, said, that he approved of one part of the plan, and yet he refused to go into Committee. He must say, that, if ever misrepresentation had been indulged in, in one case more than another, it was with respect to the measure of coercion that had been talked of. He implored hon. Gentlemen who had not very regularly obtained a knowledge of that measure to suspend their judgment till they heard the Resolutions he should bring forward, and not decide upon the representations of those Gentlemen who, unintentionally, but mischievously and fatally for the impression which the measure might make in Ireland, had pronounced a verdict against it, even before they had heard the arguments and grounds upon which it was to be supported. He protested against this premature course. They were told, that they were premature in coming to the House; but what were their opponents, who, before the Ministers had brought forward their Resolutions, passed judgment upon them? Such a course, in such quarters, was of itself sufficient to make the measure fail in Ireland. Such opinions coming from Gentlemen who were naturally looked up to in that country, were not calculated to assist the views of the Government to relieve the people, for they taught the people, instead of accepting this relief as a boon, to spurn it with indignation, as an additional oppression. As to the present Report every body knew that it was never intended to be final; it bore upon its face that it was a first Report, but upon matters which every member of the Committee considered so urgent and pressing that they decided it ought to be made. He freely admitted that this Report could not be considered final, and that there was not sufficient evidence as yet before the Committee to enable them to make a final Report. Then, as to the necessity of a change, did those who opposed the Committee mean to say, that no change was necessary? If they did, their opinions were at variance with that of all others, not only of Catholics, not only Presbyterians, but of ministers of the Church Establishment, who had been examined, and without whose testimony the examination would, indeed, have been partial and incomplete. What was the meaning of this call for delay? Were they to wait three, four, five, or six months on a subject like the present; or did those who recommended delay think it would be more possible for the Government to vindicate the majesty of the law at the end of that time than at the present? There had been a charge made against the Government that they had encouraged agitation in Ireland. It was a false, a foul, a calumnious accusation—but it had been made; and yet, when the Government wished to produce a measure which would have the effect of quieting agitation, they were called on to delay for some time longer; and thus, while the charge itself increased the amount of agitation, the effort of the Government to prevent it was opposed and attempted to be frustrated. He had made these observations, because he had been unjustly accused of taking an unfair advantage of political circumstances in order to prevail over those who did not take the same view of the matter with himself—a conduct of which he had never been, and trusted he never should be, guilty in the whole course of his political life, any more than he should be guilty of it in any transaction of private life.

Sir *Robert Inglis* concurred with the right hon. Secretary for Ireland, in the expediency of his Motion, reserving, however, the power of entering, upon another occasion, into a fuller consideration of the details of this subject. But he was unwilling to come to a vote this night without stating to the House, in the first instance, one of the grounds upon which he should rest that vote, and without noticing some of the general principles which, in the course of this discussion, had been brought forward by two or three of the hon. Gentlemen opposite. The noble Lord, the member for Devonshire, protested against the Church of England and the Church of Ireland being bound up together on this occasion. He begged to recall to the recollection of his noble friend, that in law there existed no Church of Ireland; that the Church of England and Ireland was one united Church; and that if any thing was done to injure what the noble Lord called the Church of Ireland, from that instant there would be no security for any of the external frame-work of the Church of England. From the cheers on the opposite side of the House, he gathered, that he was not wrong in assuming, that those hon. Gentlemen felt there was great danger to the Church of England when any thing was done to the Church of Ireland. An hon. Gentleman who spoke early in the debate, asked, what a Presbyterian would think if called upon to pay tithe to a Roman Catholic pastor? But his answer was, that the people did not pay tithes—the principle had been established over and over again, but, as this objection was again urged, it was necessary to repeat the answer—the people did not pay tithes as Protestants, or as Roman Catholics, as Episcopalians, or Presbyterians—not according to their creed, but according to their property. The hon. member for Meath quoted a passage from an American law, in which it was stated to be contrary to the rights of man to compel any individual to pay to the support of a religion in which he did not believe. Now, was it not clear that there was no analogy in the case? There might be some ground for the objection, if it were now proposed to raise *de novo* a general tax for the support of a particular faith; but the question was not about a poll-tax, to be from this time forth regulated by the population, in which case only there could be the least ground for taking into consideration the creed of the parties; but it was a common question of property, whether tithes already existing be not like rent payable in respect to property, whoever may hold it—whether Protestant, Roman Catholic, or Jew. The hon. member for Kilkenny entered into a variety of details, into which he should not attempt to follow the hon. Member; but there were one or two tempting points upon which the hon. Member touched, to which he must momentarily allude. The hon. Member said, that the attempt to call attention to the distress of the Irish clergy, was a factious endeavour to divert the public mind from another object; that the distress was exaggerated, if not unreal; and that, at any rate, there were in other parts of Ireland, clergy whose property ought to be made available for the relief of such distress. The hon. Member, from his natural feelings of humanity, could not disregard such suffering as had been described. He must, therefore, come to the conclusion, that the hon. Member could not place credit in the evidence upon which the description rested; but he would ask the hon. Member, on what authority he could deny the statements of Gentlemen whose characters were unimpeached, and who were summoned before a Committee willing to investigate the subject, some of the Members of which had no very friendly feelings to the existing Establishment? On what authority did the hon. Member suppose, that these Gentlemen had exaggerated the distress, or had not described that which really existed. But the hon. Member said, that there was other property of the Church which ought to be applied to the relief of this distress;—that in Ireland, generally, the clergy had 800,000*l*. a-year in tithes, and that, from this source, the sufferers ought to be relieved. Without stopping to examine the accuracy of the hon. Member's statement, he would ask, whether the hon. Member meant, that the income of one clergyman in one part of the country ought to be seized to discharge a debt due to another clergyman? Did the hon. Member know what the clergy had done for their brethren? He had not the honour of being acquainted with the Prelate concerned in the fact which he was about to state to the House, but it was so creditable to him, that he could not forbear mentioning it. The Bishop of Ossory, in whose diocese were some of the most disturbed districts of Ireland, summoned his clergy together, and stated to them, that, knowing the distress in which they were involved, he had taken the liberty of arranging the salaries and discharging the arrears due to all the curates in his diocese. With respect to beneficed clergymen, he was prepared to give those amongst them who had neither friends nor relatives to assist them such pecuniary aid as was in his power. He must also remark upon another statement prominently put forth by the same hon. Gentleman: he seemed to imply, that Ministers ought not to proceed against the inclinations of the liberal Irish Members, in producing any measure for the relief of the clergy, because they had supported them in their measure of Reform.

Mr. *Hunt* said, that, at that hour of the night, he would only make a few observations. He must complain, that the House had no information respecting the subject upon which they were asked to go into Committee. The right hon. Secretary for Ireland seemed to feel very indignant at what was stated by the right hon. Baronet (Sir Henry Parnell); but, had not the noble Paymaster of the Forces moved the Reform Bill without sufficient information? He concurred with much that had been said by the hon. Member who moved the Amendment (Mr. Brownlow). The tithes, it appeared, were five times heavier in England than in Ireland; and, if they were put an end to in Ireland, rely upon it the people of England would soon offer them the strongest resistance. There was a Union going on at Birmingham, which had circulated a pamphlet calling upon the English Members to resist the payment of tithes. He, however, felt the very strongest objection to making the English public pay the bad debts of the Irish clergy. To such a measure he, for one, never would consent. [*Cries of* "*Question.*"] Some Gentlemen cried "Question." Why, what this House required was the question, and he was satisfied that there was property enough in Ireland to pay the clergy, without calling upon the English people. The Irish Members had read a lecture to the English Members; they had acted as a compact body in favour of Reform; and, if they would look to the division to-night, they would see how they had acted.

Mr. *Jephson* asked the right hon. Secretary, whether he would go into Committee, *pro forma?*

Mr. *Stanley* said, that he would not even go so far to-night; but would, on carrying his motion, not move that the Speaker leave the Chair, but postpone the Committee to a future night.

The House divided on Mr. Brownlow's Amendment: Ayes 31; Noes 314—Majority 283.

Question put on the original Motion, and Committee postponed till Monday.

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Bodkin, G. G.
Brabazon, Lord
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Burke, Sir J.
Chapman, M. L.
Doyle, Sir J. M.
Duncombe, T. S.
French, A.
Grattan, J.
Grattan, H.
Host, Sir J. W.
Hunt, H.
Jephson, C. D. O.
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Lambert, H.
Lambert, J.
Leader, N. P.
Macnamara, W. N.
O'Connor, D.
O'Connell, M.
O'Farrell, R. M.
Parnell, Sir H.
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Shiel, R. L.
Torrens, R.
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Wyse, T.

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